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ABSTRACT

This book contains 44 elementary and secondary school citizenship education lesson plans, programs, projects, and learning activities that were developed by 50 teachers who participated in the 1985 Special Programs in Citizenship Education (SPICE I). This collection of educational materials is organized under the general topics of: (1) jurisprudence; (2) rules and responsibilities; (3) the U.S. Constitution; (4) courts; (5) lawmakers; (6) criminal justice; (7) juvenile justice; (8) women and the law; (9) international law; and (10) student-oriented conferences, projects, and programs. While the lessons and programs vary in style, content, and presentation, many contain information about: (1) the intended audience; (2) the purposes or objectives; (3) procedures; (4) learning activities; (5) evaluation suggestions; (6) materials needed; (7) resource and reference materials; and (9) historical background. Drawings are included. (JHP)

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WRITTEN BY

SPICE I TEACHERS

SO 019 629

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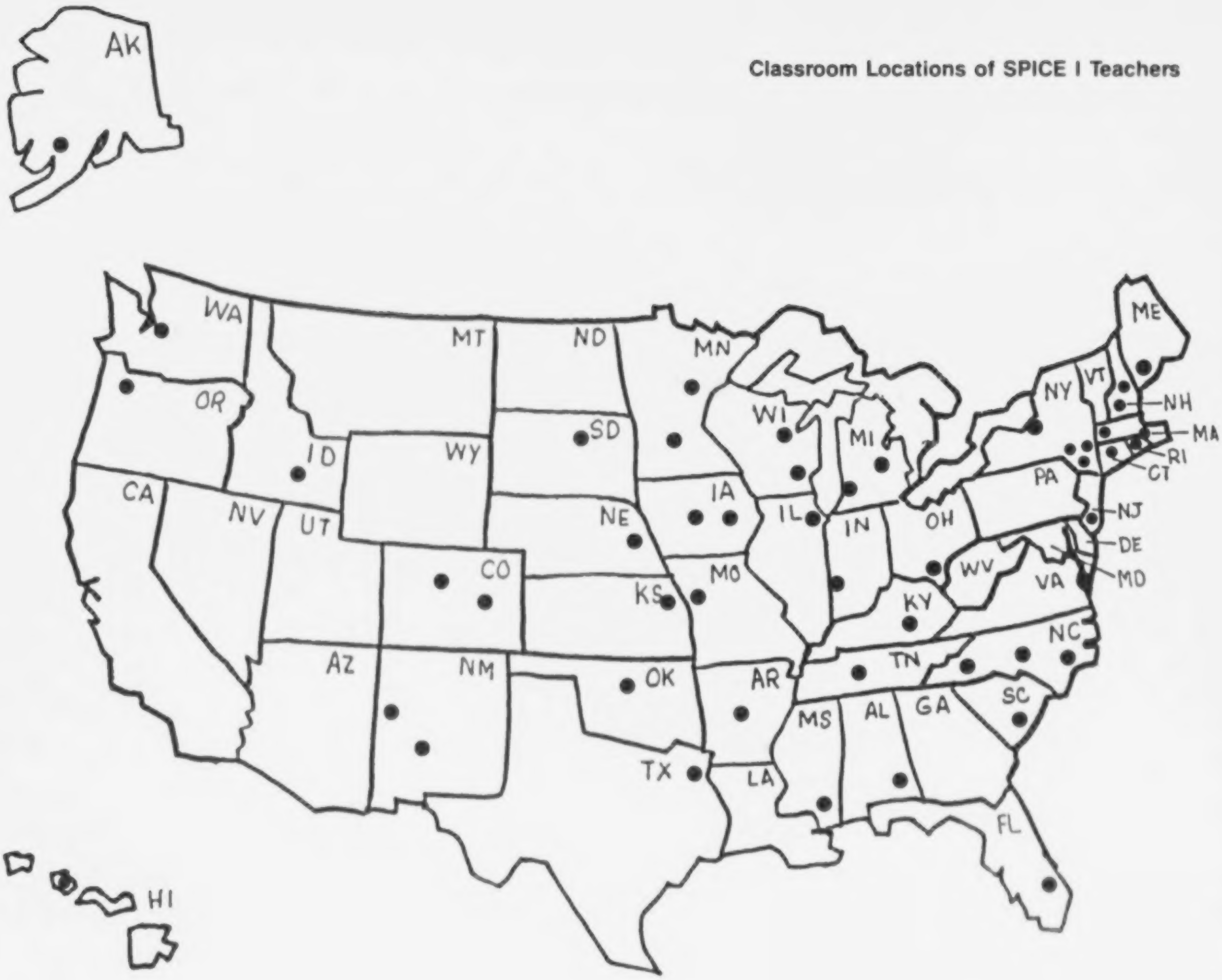
LAW-RELATED EDUCATION

Classroom Locations of SPICE I Teachers



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TEACHING OUR TOMORROWS

Special Programs in Citizenship Education

Written By

SPICE I Classroom Teachers

Published By
CRADLE

Center for Research and Development in Law-Related Education

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Creativity and innovation are synonymous with risk. Trying out new ideas, starting new programs, venturing into uncharted waters require courage. CRADLE wants to thank the SPICE I teachers who all had the courage to take the risks, to share their creative ideas, and to implement their innovative approaches to citizenship and law-related education.

Besides these classroom teachers, CRADLE is indebted to the faculty and administration of Wake Forest University, especially those in the School of Law under the leadership of Dean J. Donald Scarlett. Dean Scarlett's commitment of resources to CRADLE over the past three years made the SPICE I program possible. This publication, which represents the culmination of the SPICE I program, was made possible, in part, through financial support from Wake Forest University and the School of Law.

Development of creative activities and programs by SPICE I teachers, which appear in edited form in this publication, began when the teachers participated in the first national Innovation Institute in 1985. That Institute was made possible by a grant from RJR Nabisco, which also provided seed money to launch CRADLE. Other financial contributors to the Institute include Chevron USA, Wachovia Bank and Trust Company, Piedmont Airlines, and the New York State Bar Association. CRADLE is grateful to these companies and institutions that were willing to take risks and support a new and innovative law-related education program.

Winston-Salem/Forsyth County Junior High School teachers, under the leadership of Judy Church and Marie McBride, welcomed their Institute colleagues, coordinating free time activities and handling registration and opening activity details. CRADLE is grateful for the interest and support provided by these teachers.

The Center for Creative Leadership, through its Creativity Development Division, made available its resource materials and creative problem solving strategies. With the encouragement and support of Dr. Stanley S. Gryskiewicz, Director of the Creativity Development Division, the Targeted Innovation strategies were used successfully by SPICE I teachers to help them develop creative teaching strategies. In addition to Dr. Gryskiewicz, other individuals from the Center for Creative Leadership staff who served as Institute faculty include Psychology Professor and Cartoonist, David Hills; Manager of the Targeted Innovation Program, Anne Faber; Communications Specialist, Bonnie McAlister; and Scott Izaksen, Director of the Center for Studies in Creativity. CRADLE is deeply indebted to the Center for Creative Leadership for its continued support, which has included training members of the CRADLE Board of Trustees in various problem solving and communication strategies.

Wake Forest University faculty who have given generously of their time and talents to encourage and support the SPICE I teachers includes author, poet, and Reynolds Professor of American Studies, Dr. Maya Angelou. Excerpts from her lecture to the SPICE I teachers appear in this publication. We thank Dr. Angelou for inspiring the title, Teaching Our Tomorrows. Professor Charles Rose, Professor James Bond and Director of Library Information Services, Thomas Steele, all of the School of Law, generously supported teachers during the Institute and the classroom implementation of their various activities and projects. Peggy Brookshire provided invaluable services to CRADLE and the SPICE I program. Without her administrative and word processing skills the program, in general, and this book, in particular, would not have been possible.

Teaching Our Tomorrows reflects the efforts of the SPICE I teachers who came to the Wake Forest University campus over one year ago from across the country to begin their creative program. CRADLE extends its sincere appreciation to all those individuals, companies and institutions that made this publication possible. We thank them for taking risks with CRADLE, as it tried an innovative approach to developing creative teaching strategies. This publication is the end product of the SPICE I program, but many creative people along the way worked together to make it possible. We thank the SPICE I teachers for having the courage to participate. As E. Paul Torrence once said, "It takes courage to be creative. As soon as you have a new idea you are a minority of one."

Julie Van Camp
Executive Director

Dedication

Christa McAuliffe applied for and was accepted into the SPICE I program. Her selection for the NASA teacher-in-space project just prior to the Institute made it impossible for her to attend that part of the SPICE I program. However she was with the teachers in spirit throughout their week of training, starting on the first day when each teacher posted a symbol on a huge map of the United States. The group Christa would have worked with most closely that week created a paper mache space capsule and located it in Concord, New Hampshire, Christa's home town.

After the week long training, somehow capturing the close relationship created among SPICE teachers, Christa continued to correspond with CRADLE. She took time from her own demanding schedule to write to us and inspire the work in this book.

The teachers asked to have their efforts dedicated to Christa McAuliffe and to have her space law lesson included. Her lesson very aptly reflects the title of this book as we all endeavor to teach our tomorrows in a space age. Christa was, in the teachers' words, "a remarkable individual," a "super person," and "the ultimate educator."

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Foreword

This is a book written **by** teachers **for** teachers. It reflects the efforts of fifty highly creative teachers from thirty-eight states who are dedicated to teaching our tomorrows.

The lessons, programs and activities vary greatly in style, intended audience, length, and subject. This variety was intentionally preserved by the editors who made changes only when necessary for clarity or because of space limitations. This approach is very consistent with the mission of the Center for Research and Development in Law-Related Education (CRADLE), a non-profit organization committed to encouraging creative efforts in law-related education by classroom teachers.

CRADLE was established in 1983 to encourage and support **individuals** who wish to develop, implement, and evaluate innovative and creative approaches to citizenship and law-related education. CRADLE is based at Wake Forest University School of Law in Winston-Salem, North Carolina. It is governed by a thirteen member Board of Trustees composed of nationally-recognized citizenship and law-related education experts and business executives from across the country. Its programs are designed to reach educators working directly with students.

In keeping with its primary goal, CRADLE developed a two year plan with three major components: an innovative teacher training institute on creativity and law-related education; an on-going mentor program to support institute participants; and the publication of a book to share the work created by the institute teachers.

The SPICE I Institute

A Special Programs in Citizenship Education (SPICE) one week institute was conducted in the summer of 1985 for fifty teachers from across the country. To identify creative teachers who were already engaged in law-related education, the CRADLE Board asked for nominations from key individuals in the fifty states and the District of Columbia. The nominators represented state departments of education, social studies experts, law-related project directors and the CloseUp Foundation. In this way every applicant was recommended by someone knowledgeable in the field.

There were many more applicants than could be accepted. In selecting the SPICE teachers, the CRADLE Board attempted to have as much diversity as possible. The hope was to have at least one teacher from each state. In fact, thirty-eight states were represented including Alaska and Hawaii. The final group of teachers was also diverse in terms of number of years of teaching experience, with one participant nearing retirement and another having had only three years of teaching experience. Teachers represented grade levels from the first grade to the twelfth. Their schools represented the extremes including one from inner city Chicago to a rural one room school house in Ekwok, Alaska.

The Institute was conducted at Wake Forest University School of Law. The background of Institute faculty was almost as varied as the teachers. Historians, law professors, poets, practicing attorneys, psychologists, and experts on creativity conducted sessions. The design for the Institute was developed by members of the CRADLE Board of Trustees and the Center for Creative Leadership, a non profit, educational institution whose mission is to improve the practice of management by providing practical, research-based tools for recognizing and developing creative leadership potential. It is worth noting that the Board members themselves had experienced many of the creative strategies a year prior to the actual Institute. During the Institute the teachers were engaged in a wide variety of law-related topics and teaching methodology correlated with opportunities to enhance their own creative growth. In addition teachers were assigned to small connections groups of six people for idea exchange and for support in developing their own projects. An unusual and interesting feature of the week long program was a cartoonist-in-residence who created visuals for summarizing the experience. The work of this very creative individual adds a unique dimension to this book.

The Mentor Program

At the conclusion of the Institute each teacher was matched with a CRADLE Board member. During the following school year the mentor kept in touch with the teacher to offer support and consultation as the teacher designed and implemented his or her project. Some mentors were able to make school site visits while others used telephone and letters to communicate.

In addition to this planned follow-up communication with teachers there was a great deal of interaction among the teachers themselves. They became so close during the Institute that some reunions were actually scheduled for convenient geographical locations before the teachers left North Carolina. There were also a number of examples of gatherings of SPICE I teachers at local, state and regional social studies conventions. Presentations were made by the teachers to spread the word about what CRADLE is trying to do. And finally, SPICE Day was celebrated in many classrooms in a variety of ways across the country. The idea to set aside October 7th the opening day of the fall Supreme Court session is a special day to remember each other came from one of the teachers during the Institute.

Teaching Our Tomorrows

The third component planned by the CRADLE Board to meet its goal of encouraging creative work in law-related education by teachers is this book. Each SPICE I teacher attending the 1985 Institute was required to develop and, if possible, implement a creative law-related activity, lesson or program. These were to be submitted to CRADLE for publication. The variety of topics and ideas clearly reflects the imagination of these teachers.

In organizing the manuscript it seemed wise not to use the traditional elementary through secondary sequence. Although the author's teaching level is identified and the intended grade level is designated, many of the ideas in this book can be easily adapted for younger or older students. The sequence is therefore topical starting with basic ideas in law-related and citizenship education. The book does not have to be read in order. The reader is encouraged to skim through the material and trust to intuition to decide which pieces to read in depth.

The Editorial Approach

It is worth mentioning again that the editors tried not to tamper significantly with the teachers' manuscripts. The reader will therefore experience some variety in style which it was felt maintained some of the essence of the authors' creativity. In cases where some material could not be included because of space limitations the reader may wish to write directly to CRADLE to obtain copies of specific items. The Board of Trustees welcomes any comments or reactions from readers and would especially appreciate hearing from classroom teachers at any level.

Arlene F. Gallagher
General Editor

Reflections on Creativity

Excerpts from the lecture by Dr. Maya Angelou July 24, 1985 during the SPICE I National Innovation Institute

I think the idea of creativity in art and life and love and growing up and being reared and cooking are the same, whether one is addressing oneself to law or any factor of life, love. One is using the same energy. I believe that all human beings are born creative. I think that early on we have creativity knocked out of us and we are infused with discipline which denies our creativity. I don't think when an infant begins to make sounds he or she sings or croons. When the child stands, he grabs the sides of a crib and bangs. When he is able to manage himself around the house and finds a crayon or lipstick or pencil he begins to draw. She will take the boxes in which gifts are given and link them together and somehow build the most incredible castle. We are all creative. Unfortunately, quite early on, people bat us and thump us and pinch us and tell us stop lying, Don't make up stories, Don't draw on that. Stand still. Can't you possibly stand still? And so we decide early on that is not a nice thing to show that we can actually imagine things. I believe that creativity is like electricity. I think that we don't understand electricity. We use it. We presume. But you can plug into that socket over there. Light up this room. Light up a cathedral. Light up a synagogue, a mosque. Light up an operating, room or you can electrocute a person strapped in a chair. Electricity makes no demands. It simply says "I am here." If you are intelligent, you will use me intelligently, constructively. If you are not, you will use me destructively, unintelligently.

I think talent is the same. I think creativity is the same. So when we address not only our students but ourselves, I think it behooves us to remember that statement by Terence made in 154 B.C. or thereabouts, give or take a year, which says Homo sum; Humani nihil a me alienum est ("I am a human being. Nothing human can be alien to me)." It is an incredible concept. I imagine it takes a lifetime to ingest it, let alone to start to practice it. However, if you look in your encyclopedia under Terence with one r, you will find beside his name in italics Publius Terentius Afer. He was an African. He was a slave sold to a Roman senator. Freed by that senator, he became the most popular playwright in Rome. Six of his plays and that statement have come down to us through these millennia years. . . .

I think in your pursuing the incredible commitment and challenge of teaching our tomorrows the importance of law, the importance of the examination of law, and I hope at the same time the importance of questioning law, you infuse in those young people the idea that law is made by man and woman. It subsequently makes and forms, controls and decides, the lives of man and woman. But the initial gesture was made by man and woman and when young people know that, I think they approach law with a double respect. A respect to uphold those laws which they deduce to be tenable and a respect for themselves and their positions to challenge those laws which are not tenable. We owe to those challenges the ways we live today and, in fact, maybe our very lives. At the same time we owe our lives and our ways of life to those who uphold the law.

I believe that courage is the most important of all the virtues. Without courage you cannot practice any other virtue with consistency. You cannot be consistently kind, or true, or fair minded. I wish I had said that first. Actually, Aristotle said it. Those young people we have in the clutch of our hands, those young people who are encouraged to examine the law with courage, so that they, we hope, will decide to do what they have come here to do, ... that is to make this country more than it is today . . . more that what James Baldwin called these yet to be United States.

It is very interesting in the purveyance of ideas on law to include more than the judicial materials to be found in the books on current events. I think it is wise for a teacher to bring into the classroom other concepts than those having to do strictly with law. I would suggest that the book, *A Beggar in Jerusalem* by Elie Wiesel, could give students an idea on how people look at law. This book is a collection of Judaic laws which deal deeply, and sometimes tiresomely, with the finer points of what is right to do and why. . . .

. . . those men and women who from 1830 to

1865 opposed a law in the land had to really know the law of the land. To be effective they had to know that slavery was law and how the law was implemented so that in lectures all over the country they could entertain questions responsively. Some of those who were active in the abolition of the slave trade should be examined by teachers who are trying to inform our young people.

One of the great debates is that debate between Stephen Douglas and Abraham Lincoln. It is so fascinating. They continued to behave like courtly gentlemen. "My learned friend," they say and then they would go for the juggler, and say "My learned friend." It is fascinating. I have taught it for a couple of years to graduate students and some doctoral candidates. We have taken positions and argued, trying to argue in the same language, that courtly language, when in truth just under the skin of it knives are being brandished, razors sharpened, guns loaded. But it is fascinating for a young student. He or she can have a look into the many faces of law so that he will know how to address himself to the law he must uphold, and she will know how to address herself to the law she wants to challenge. . . .

It is my suggestion that all literature is in itself bound by law. In writing poetry I know that there are laws. I am obliged to understand the laws of poetry especially if I want to challenge and change them. I have an understanding of what a sonnet means and how I must respect that structure. I might write an ode on free form, but I must know first the laws of my milieu of what I am attempting. I suggest that is so for you as teachers.

I suggest that since all literature is law, bound and freed by law, the law one imposes, that you might offer to your students literature to help them to identify. Identify so that law is not something in a marble building with high stairs and black robed men and that one woman,but that they will understand that laws were made by human beings for human beings to help us to live better, fuller, richer lives. To understand that the people who made the laws are human beings just like them. Those who challenge the laws are human beings just like them.

"Homo sum; Humani nihil a me alienum est."

Editor's Note: Dr. Maya Angelou is Reynolds Professor of American Studies at Wake Forest University. Her newest addition to her line of autobiographical books, All God's Children Need Traveling Shoes, was published this year. She wrote the original screenplay for Georgia, Georgia; the TV screen play for her book, I Know Why the Caged Bird Sings; and she played Kunta Kinte's grandmother in Roots. CRADLE is deeply grateful to Dr. Angelou for her support of and interest in the SPICE I classroom teachers.

"In your pursuing the incredible commitment and challenge of teaching our tomorrows the importance of law, the importance of the examination of law, and I hope at the same time the importance of questioning law, you infuse in those young people the idea that law is made by man and woman."

Dr. Maya Angelou

Jurisprudence

Flex and Flux: Jurisprudence

Bruce Eighmey
High School Teacher
Kansas City, Kansas

Flex your awareness and try to assimilate the flux of change. Project SPICE might be just the vehicle. Will you join me in a journey down a brief path of discontentment? Warning: Many who have made the same trip may feel perfectly comfortable with the ambiance along the way so if a touch of controversy bothers you—watch out!

General Background

On the first day of class the books are checked out, seating charts have been assigned, classroom procedures have been discussed, and it's time to move on—except this is when many of us stumble. We ask our students to open their books, and in many cases that's when the first academic blow is struck and misses. Chances are, as an instructor, you have ground out a number of courses in political science or related areas. However, the young people sitting in front of you may just be awakening to legal or political awareness. This glimmer of insight may remain latent because of the distance between the typical text introduction and the basic needs of students. To dismiss this point as simply a case of the students needing to adapt and grow begs the issue.

Frequently, these opening chapters are historically vague and inconclusive. Therefore, many teachers may find themselves guilty of only lightly touching base at this point in order to jump to more timely issues to which many students respond of their own volition. While this hurdling process may speed up your endearment to the students, an academic day of judgement is on the horizon. It usually comes in the form of an exam. Do you remember that final you gave with some of the ""can't miss" questions, such as discussing the need and function of law or something along the line of, "What is America's national purpose?" Weren't you a bit taken back when those who sparkled so vividly during class discussions on the right-to-life issue struggled to write anything that related to the founding concepts of our more permanent institutions? Why were the same quick or clever students able to follow your guides on the process of law, but not able to approach the foundations of that process?

My proposition is that the majority of teachers at all levels are the root of the problem. We have been conditioned to present the introduction to the study of law and government as it was presented to us and have assumed that the test of time has provided us with "the method". This approach usually centers around the first three chapters of one's text dealing with the ancient world, western Europe, and political ideas from the thirteen colonies—all of which are directed toward the historical method of analysis. The eminent and late Roscoe Pound made reference to this point in his second volume of *Jurisprudence*. "During the nineteenth century", he points out, "the history of law was written as a record of continually increasing recognition of individual rights often regarded as natural and absolute". In the twentieth century he proposed this heritage should be rewritten in "*terms of human wants, interests, and desires*". Pound went further by classifying interest as "individual, public, and social". To carry my proposition further, a sound social-psychological approach will fill the void to which Pound alludes and in so doing will provide a common ground with which young people can more readily identify. This approach should also help close the gap, that area which exists between what law is and what it should be.

This viable alternative provides a concrete point of analysis for students in the formative stages of the study of law and government. The approach may well be the substance that was lacking in the metaphysical analysis of natural and absolute law with which authors have lined their opening chapters over the years.

In many educational institutions the presentation of law and government seems to be an organized effort at presenting process—frequently in very specialized areas. The entity of the state and legal institutions is simply accepted. It seems it is only when the law or the process misfires that we examine its scope and purpose.

Grade Level

This exercise is geared for 11th and 12th graders in either general or advanced placement classes.

Central Purpose

For your on-task planning, we are attempting to establish, not only the basis for jurisprudence, but also a check point for evaluating the scope of government and judicial process.

Time Allotment

The introduction may take from one to two weeks, depending on the level of your class and whether you are on a six or seven period day. However, the process will be used throughout your course as was mentioned in our central purpose.

Materials Needed

- Flex and Flux Guide (included here)
- Library with good selection of magazines
- Overhead projector and transparencies
- Poster board for four permanent posters

Procedure

The following sequence of presentation is fundamental to its continued use and has been covered in my written discourse.

Evaluation

I urge you to have a short quiz each day over the preceding day's activities. Questions should reflect the concepts we have emphasized. Also include the group work and participation grades that collectively led up to our panel discussion.

However, the most important evaluation is by your students as they carry the "Flex and Flux" inquiry into the rest of their studies. They now have a standard to measure not only legal and political philosophy but also the basis of representation, legislation, and legal process as well. Law can contribute to a progressive change in American society. One would hope that any change will be anchored by the goal of self-actualization and the responsibilities that are inherent in that pursuit.

Background: Basic Psychological Needs

So where do we go from here? How are we to approach this different and hopefully better way to start young people in the study of law? To begin, we will emphasize the psychological and social self as the central anchor point for the need for law.

Your first task is to clarify a basic premise for your students: man spends a lifetime in an attempt to reach self-actualization or being all that he can be to himself. This pursuit can be broken down to mean the fulfillment of man's basic physical and psychological needs. Man's state of happiness frequently depends on the degree of success he obtains in fulfilling these needs.

A functional list of these psychological needs are as follows:

- Security (emotional and economic)
- Sense of worth (attention, prestige and recognition)
- Mutually agreeable interaction with others (companionship, friendship, and love)
- Variety and new experience (adventure)
- Freedom and independence
- Religion and philosophy of life
- A measure of conformity
- A need to care for others

Simply listing these needs on the board is not enough if we're going to use these items throughout the class. What we want is recognition of these needs without written material for reference.

Activities

The following activity is designed to meet this objective. Go to the library and pull the magazines which feature a great deal of advertising. Provide two or three magazines for each student. Ask the students to find an example of an advertisement that appeals to each need—eight different advertisements in all. Some advertisements will appeal to more than one need—the more needs it fulfills, the better the advertisement. Have your students present their magazine examples in class the next day by listing the basic need, sharing the advertisement selected, and explaining how the advertisement demonstrates a way to fulfill the need. Homework can be based on the same premise, but one can utilize television in place of magazines. Once again, have your young people discuss examples of television advertising appealing to basic needs.

If your students seem to have a grasp of how television and magazine advertisements appeal to our basic needs, have them analyze their school as well. Have students explain how they go about meeting their basic psychological needs in school and list them on the board. Remind your class of the concept "that maximizing the total satisfactions of valid human wants, and its corollary of a fair division of the presently available benefits of group living, should be regarded as the overriding objectives of every organized society!" (Hart and Sacks *Unpublished Abstracts)*

Background: Definition of Liberty

You probably will find at this junction that the majority of your class feels that the thing in life is simply to fulfill their needs and may imply they have complete liberty to do so. Our first exercise may have reinforced this conception; therefore, this is the time to introduce the concept of liberty and the implications of interdependence and restraint that are part of it. Let us take a look at three definitions of liberty which will be part of our next exercise:

> Liberty on its positive side denotes the fullness of individual existence; on its negative side it denotes the necessary restraint on all which is needed to promote the greatest possible amount of liberty of each. (Amos, *Science of Law, 90*)

> The word liberty as used in the state and U.S. Constitution means, in a negative sense, freedom from restraint; but in a positive sense that the state, in the exercise of its police powers, promotes the freedom of all by the imposition upon particular persons of restraints which are deemed necessary for the general welfare. (*Fitzsimmons v. New York State Athletic Commission Sup*, 146 NYS 117, 121)

> Liberty, so far as it is noticed by government, is restraint rather than license. It is the yielding of the individual will to that of the many, subject to such constitutional guarantees or limitations as will preserve those rights and privileges which are admitted to all men to be fundamental. Liberty in a civil state is a giving up of a national right in consideration of equal protection and opportunity (*Weber v. Doust*, 84 Wash 330, 146, pp. 623, 625).

Our purpose in this exercise is to help students discover that having the liberty to fulfill our basic needs brings us into a state of interdependence and restraint. That interdependence exists because we come in contact with others who may wish to fulfill their needs in a like manner in a world which doesn't always have an ample supply for all. The restraint factor enters into our relations with others as the rational alternative to conflict in fulfilling our needs. However, people aren't always rational or restrained so conflicts will arise, a point we will address later.

Activities

The following exercise will aid in reinforcing the restraint factor in the pursuit of liberty. Make three over-head transparencies with the preceding definitions of liberty on each. Go over each definition with the entire class collectively. Then have students break into small groups. Instruct each group to select a chairperson who will record the group's work and also give a participation grade to each member in the group. Have the chairperson in each group list their psychological needs. Then have them list the *limitations* each faces in fulfilling these needs because of the *conflict* that will result as others respond to their needs as well. When this exercise is complete , have the chairpersons form a panel and analyze the restraints the groups have recorded. Make a collective list on the board — one for *rights* to fulfill needs, the other for *restraints*. At the end of the discussion, point out to the students the right to fulfill one's basic needs is often referred to as human rights which may or may not be protected by law. The restraints are what we call positive law and these items are spelled out in written law. Conclude the exercise by using the following quote which will also serve as a good introduction to our next problem, the definition of law.

Background: Definition of Law

> Some contend that the end of law is security, or the greatest happiness of the greatest number, or the general good, or the reconciliation of the will of one with the liberty of another, and that the realization of this is justice, or, it maybe is the proper end of law. (*Oxford Companion of Law*, 719)

Activities

Ask students to write their own definitions of law. Once more, using the overhead, have them compare their definitions with those who have struggled with the definition over the ages. The transparency definitions are as follows:

Aquinas: Law is an ordinance of reason for the common good, emanating from him who has the care of the community.

Grotius: The dictates of reason applicable to human society.

Hobbes: Civil law is to every subject those rules which the commonwealth have commanded him . . . to make use for the distinction of right and wrong.

Blackstone: A rule of civil conduct presented by the supreme power in the state, commanding what is right and prohibiting what is wrong.

Walker: Law, in general, is a regime of adjusting relations and ordering human behavior through the form of an organized group.

If the students push for the "right" definition, you are on the correct course. Since, in one respect, law may be considered as an aggregate of many types of law, one might advise there is no universally accepted definition. However, if we are being consistent with the thrust of our introduction, we should support a definition that provides guidelines for self-actualization within the boundaries of liberty. If their definitions reflect the thought process thus far in our introduction, they should be commended. In order to enlarge the scope of the students' legal definitions, take a few moments and list the following types of law on the board:

- Law as a rule of conduct
- Law as rule of decision (judge-made law)
- Law as a threat of official action
- Law as a production of official action (administrative law)
- Law as a pattern of what ought to be

See if the class as a whole can identify the types of law that most likely would provide us with license in achieving self-actualization as well as those which

HAMMURABI IN ABOUT 2000 BC WROTE A CODE OF LAWS.. NEXT...
HAM-MOO-SOMEBODY LIVED IN 2000 BC
HAMBURGER WROTE DOWN ABOUT 2000 LAWS.
HAMMER ROBBED PEOPLE BY WRITING THE LAWS IN SECRET CODE.
YAWN

would provide restraint. Because this will take interpretation on their part, greet their answers with, "But what if I don't agree with you?" or "You and the law are standing in the way of my own self-actualization." Sooner or later in the course of your discussion a need for a process to resolve such conflicts will emerge. As mentioned earlier, this comes about because man isn't always rational nor does he use restraint in fulfilling his needs. It is at this point that we can introduce the concept and need for social institutions as a possible clearing house for justice in conflict.

Background: Definitions of Social Interaction

Our working definition of a social institution is "an enduring cultural structure that meets a basic need of society and provides social control." (Thomas and Anderson) Ask the class how a court system might meet a basic need of society as well as provide for social control based on the conflicts that emerged from their panel discussions.

To further enhance our approach let us briefly turn to *Unpublished Abstracts* once again. Follow along as these legal scholars correlate the wants and needs of people in a world of interdependence where conflicts are resolved by institutionalized procedures:

> Human beings have a variety of wants; people are continuously and inescapably dependent upon one another. This is obviously true of wants which are in conflict. A one-sided solution, even otherwise feasible, can prevail only if the other person lacks the means or the disposition to challenge it effectively. People who are living together under conditions of interdependence must obviously have a set of understandings or arrangements of some kind about the terms upon which they are doing so. They will, therefore require clarification from time to time, as points of disputes or uncertainty and some means of securing resolution or clarification will accordingly be needed. Moreover, human beings do not invariably do what they ought to do, so that there will necessarily be occasions when perfectly clear understandings are violated, or are claimed to be violated.

They conclude, in part, by saying:

> Substantive understandings or arrangements about how the members of an interdependent community are to conduct themselves in relation to each other and to the community necessarily imply the existence of what may be called constitutional or procedural understandings or arrangements about how questions ought to be settled—that is *institutionalized procedures for the settlement of questions of group concern.* (Writer's emphasis)

Activities

Take time to go over Hart and Sacks' sequence of thought with your students. This process will proceed much more smoothly if you have the following posted in your room:

1. Basic Psychological Needs
2. Definitions of Liberty
3. Definitions of Law
4. Definition of Social Institutions

Go over each chart in the order that they are listed from one through four. Use the next six steps for a review guide as the students use the charts in the room and the notes they have taken:

1. Man spends a life time in attempting to fulfill basic psychological and physiological needs.

2. In having the liberty to fulfill these needs man recognizes both his human rights and restraints because of his interdependence with other people.

3. Man seeks common recognition of his human rights by spelling them out if need be and his human restraints in positive law (written law).

4. Man forms institutions to write laws and courts to adjudicate them as a means to provide an ongoing solution to meet the needs of man in an interdependent society.

5. In the United States, even though institutions may rule for what is deemed the common good at the expense of the individual, the individual should remain the focal point of law and institutional procedures.

6. If self-actualization is man's goal, then the state exists for that purpose whether it be for the individual or the common good.

An excellent way to cap off this review is to have your students turn to the Declaration of Independence. Move to the second paragraph and read the following sentence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Ask each student to interpret this sentence based on the review you have just covered. If your students incorporate the thought that happiness is achieved in America through self-actualization within the rights and restraints of liberty then the groundwork is laid for further study of law and government. Don't let skeptics dissuade you—high school students can grasp the sequence you have presented and it will serve both you and your students well as you move ahead.

Conclusion

Finally, Roscoe Pound in his book, *Jurisprudence*, offers some insight into the compatability of his own thoughts with the presentation I am proposing in SPICE. In reflecting on this kind of jurisprudence, Pound tells us "the immediate decision, however, seems to be toward seeking to satisfy the maximum of the whole scheme of human desires or expectation (or wants and demands) so far as it may be done through legal order without too much sacrifice."

Rules and Responsibilities

Was It the Pied Piper's Fault?

Meredith Henderson
Elementary School Teacher
Franklin, Tennessee

Audience

These activities are designed for capable students in grades one through four. Lessons may be adapted for broader levels.

Purpose

The goal of this program is to enable students to understand responsibility by considering situations from children's literature. Emphasis is placed on the connections between people and their responsibilities to each other and themselves, as well as an appreciation for the perspective of various characters in a story. Questions, discussions, and activities are planned to develop thinking skills. The lessons fit easily into the social studies or language arts curriculum or serve as an enrichment program.

Time to Complete Procedure

These four units require three hours each. Two one and one-half hour programs for each unit are suitable.

Procedures

A literature selection is read to or by students. Discussion, questions, and an activity designed to examine the theme follow. There is a debriefing after the activity.

Activity 1: Was it the Pied Piper's Fault?

Procedure

Read the poem, "The Pied Piper of Hamelin" by Robert Browning to the class. Ask the students to write who they think is responsible for the children's disappearance and why they think as they do.

Discuss the events in the poem. Be sure the following *questions* are considered:

- Who was responsible for the agreement with the Pied Piper?
- Who is responsible for the children's disappearance?
- Who is hurt?
- Who is responsible for righting the wrong?

Activity: Mock Trial

Assign students parts of the Pied Piper, mayor, little lame boy, townspeople, a jury, lawyers for each side and a judge. Divide them into groups to help the lawyers prepare questions. This may be done with general group discussion if there is only one adult leader and the group has had limited experience in questioning. Students list reasons Pied Piper is responsible for the children's kidnapping. Plan questions to be asked and to whom they will be asked in order to show that responsibility. Then list reasons mayor might be considered responsible and plan questions which would show that. What information will the jury need?

Conduct the trial, assisting students with their roles. Because of the age group, strict adherence to courtroom procedures is not expected. The prosecuting attorney opens the case with a statement, as does the defense attorney. Lawyers call witnesses, question them, and cross-examine them. Since questioning is the key to this activity, they may need to call occasional recesses to consider next questions. After questioning is completed, the jury discusses evidence presented. It will be useful if the class can observe the jury discussion. Throughout this activity the leader's role is to help students stay on the subject and remember their purpose. After the jury makes its decision, it is announced to the students.

Debriefing

- Could other questions have helped?
- Was the problem solved by the court?
- Were some problems solved?
- Are there further responsibilities that need to be considered?
- Do you agree with your first decision?

Evaluation

Teacher observes students' abilities to use questions and to determine further questions. If desired, students may be given their first questionnaire and told to write on the back if they would change any of their answers.

Follow-up Activity

Conduct a trial of the mayor for breach of contract, using similar procedures.

Materials

A copy of Robert Browning's *The Pied Piper of Hamelin*. Pencils and paper.

Activity II: Can a Bear Be Responsible?

Procedure

Read *The Biggest Bear* by Lynd Ward to the students. Before starting discussion ask each child to write the answer to the following question: Who is responsible for the damage the bear caused and what should happen?

Discuss the events of the story and the following questions:

- What happened?
- What kind of community was this?
- How do people think of bears?

- How did Johnny think of his bear?
- How did the community think of Johnny's bear?
- What was Johnny going to have to do? Why?

Activity: Puppet show

Make simple puppets from materials listed below. Use a draped table or large box for a stage. Let students divide into groups of 6 to 8, select characters, and make puppets. Characters include: Johnny, his mother and father, his grandfather, the bear and the neighbors — Mr. McLean, Mr. Pennell, Mr. McCarroll, and the men from the zoo. Mrs. McLean, Mrs. Pennell, and Mrs. McCarroll may be included or substituted. Students use their puppets to act out the story, practicing and then presenting it for the entire group.

Debriefing

Discuss the following questions:

- Who is responsible for the damage?
- What if the zoo men hadn't come?
- Is it fair to the bear? Why or why not?
- What happens in a neighborhood when dogs mess up the trash?
- Do animals have rights? Who is responsible for them?
- What is each actor's viewpoint? (Ask students who played each role first.)

Follow-up

Act out the story again. The zoo men don't come.

- What happens?
- Can you think of some other solutions?
- Who is responsible? Who gets hurt?
- Is it possible to keep everyone from getting hurt?
- What should happen? What is right?

Evaluation

Would you make any changes in your answer to the question we asked at the beginning? Who is responsible for the damage the bear caused and what should happen? Would you add to your answer? If so, give students time to comment.

NO, PUT YOUR LEFT PAW ON THE BIBLE AND YOUR RIGHT PAW IN THE AIR IF YOU WANT TO BE SWORN IN.

Materials

Copy of *The Biggest Bear* by Lynd Ward, Houghton Mifflin Books, 1952. Paper plates, sticks or rulers to attach to plates and hold, construction paper, tape, glue, markers or crayons.

Activity III: Are We Responsible for Our Brothers and Sisters?

Procedure

Students read Madeline L'Engle's *Wrinkle in Time* before the class does this unit.

Discuss major events of this book.

- What is a tesseract?
- What do we know about the school? Examine from each child's perspective — Meg, Charles Wallace and Calvin.
- What do we know about the family in the book?
- What responsibilities do the family members feel for each other? Examine particularly the role of Mother ? a scientist who works in her home laboratory, cooking soup on the lab equipment.
- What do the children feel about their responsibilities to their father?
- What does Meg feel for Charles Wallace and Charles Wallace for Meg? Mother for the others? Father for the children? Cite events from the book to explain answers.
- What risks do they take? Who was hurt or could have been hurt? Who was responsible on Camaztoz?

Activity Role Play

Review part of the story in which Meg rescues Charles Wallace. Let one student be IT and two others be the children. Divide in threesomes and role play the parts.

Debriefing

How are Meg and Charles Wallace different? How are their responsibilities different? Can you think of a different way it might end? Act it out. Why might that happen?

Evaluation

Let group evaluate the different portrayals. How are they different? Have we discovered anything about responsibility? Write it down.

Follow-up Art Activity

Divide children into groups. Ask them to make artistic representations that will show something of the theme of responsibility. After completion students explain to the total group how their work shows responsibility. To evaluate, again ask how the different groups' representations are different. How are they alike? Have we discovered anything else?

Materials

Copies of *Wrinkle in Time* by Madeline L'Engle; Farrar, Straus & Girous, Inc., 1962. Larger sheets of paper, markers or crayons.

Activity IV: Are We Responsible for Everyone?

Procedure

Read chapters one and two of *Fantastic Mr. Fox* by Roald Dahl to the students. Discuss the three farmers and Mr. Fox. Are they mean? Why or why not? What is the job of each? During and after reading, discuss perspectives of various characters.

Suggested questions

- Why does Mr. Fox take food from the farmers?

- Do animals have responsibility? If so, how is it different from people's responsibility?

- If Mr. Fox were a person, what else might he do?

- What responsibility do the farmers have? How do they think of Mr. Fox?

Evaluation

Ask students to role play Mr. Fox and the farmers. Have each explain his responsibility.

Evaluation of Program

In order to evaluate the program students and parents can be asked to answer questions at the beginning and end of the program. Teachers should conduct an ongoing evaluation throughout the sessions. Students were asked at the beginning and end of the program to explain what responsibility meant. They were also given hypothetical situations concerning responsibility and asked to tell what they would do.

Parents were asked to answer these questions at the beginning of the program.

- What indications, if any, has your child given of interest in the idea of responsibility?

- What do you hope your child will gain from this program?

At the end of the program parents were asked

- Have you had an opportunity to discuss responsibility with your child? If so, have you noticed ideas or understanding that you had not been aware of previously?

- In a continuation of this program what would you like to see included?

Selected Bibliography and Activities

How the Camel Got His Hump by Rudyard Kipling — Justice, Responsibility

The Elephant's Child by Kipling — Authority, Justice

Activity — Cartoon representations of the stories and emphasis on the language.

The Cowtail Switch by Courlander and Herzog — Responsibility

Activity — Flannel board stories — Students made figures for the flannel board and told the story.

The Unicorn in the Garden from James Thurber's Fables for Our Time — Emphasis on language and expressions in the story as well as justice.

The Goldfish by Eleanor Farjeon — Perspective

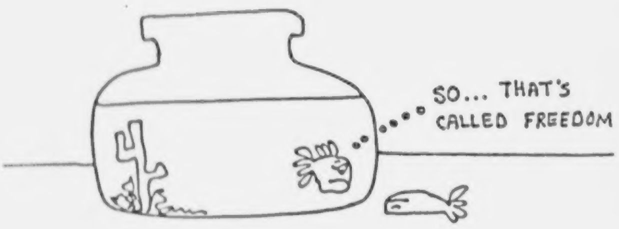
Activity — Watercolors — Represent the goldfish and his world.

The Devoted Friend by Oscar Wilde — Responsibility, Justice

Activity — Storytelling — parts of a story. Listen to tapes of Jackie Torrence telling Jack Tales.

Horton Hatches the Egg by Dr. Seuss — Responsibility

The Moth and the Star and the *Rabbits Who Caused All the Trouble* by James Thurber from *Fables for Our Time* — Justice



Discussion of how stories are used to teach lessons, role-playing.

The Red Balloon by Albert Lamorisse — Justice and a lesson in a story

Activity — Tissue art — Students used tissue paper to illustrate the story.

Vasilissa the Beautiful by Post Wheeler — Justice and story structure

Activity — Determining what stories are like this one, combining two other stories and acting them out.

Fresh by Philippa Pearce — Justice, Responsibility

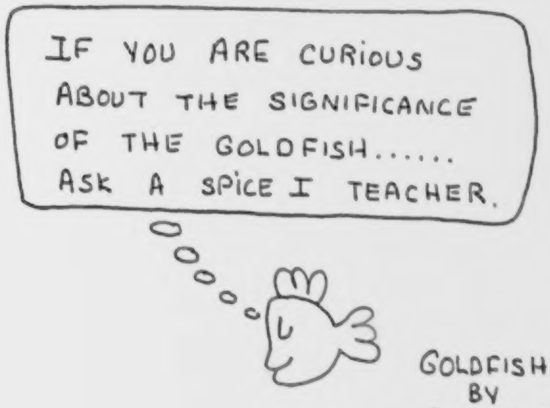
Activity — Debate

The Lorax by Dr. Seuss — Conservation — Responsibility

Activity — Debate

The King and the Shirt and *The Raven and His Young* by Leo Tolstoy — Justice

Activity — Making and using puppets to act out stories.


IF YOU ARE CURIOUS ABOUT THE SIGNIFICANCE OF THE GOLDFISH...... ASK A SPICE I TEACHER.

GOLDFISH
BY
GALLAGHER

Rules and Responsibilities

The Law is the Law

Charlotte Hagar
Elementary School Teacher
Blackfoot, Idaho

Audience

This unit is designed for sixth grade students who are being introduced to law-related education for the first time. It will focus on the following concepts:

- Authority
- Decision Making
- Rules/Laws
- Conflict Resolution in the law

Time

The timeline for this four part unit is 11 to 13 weeks.

Unit: Authority

Purpose

To demonstrate that there are different kinds of authority for different situations and that authority carries a corresponding factor of responsibility.

Activities

- Brainstorm places where different people are in charge. Discuss why there is a need for some one to be in authority, what responsibilities these people have, and what would each place be like without authority. Examples of places are school, home, stores, restaurants, theaters.
- Have each student interview someone they know who is in a position of authority. The student should write a report and give a short oral report. Each report should include the position of authority, the responsibilities of the position, the manner in which the person reaches a decision, and what is the most difficult and the easiest thing to do.

Evaluation

Participation and written report

Unit: Decision Making

Purpose

To learn ways of making a consensus decision.

Activities

- Discuss with students some of the ways people reach decisions such as past experience, custom, default, list-making. Then set up a hypothetical situation in which an anonymous donor has offered to send the class on an all-expense paid trip for one month to either Burmuda or Hawaii. The only catch is that the entire class must agree on the same destination. Divide the students into small groups to agree on a trip. Each group must appoint a leader to report to the whole class. The leaders, representing their group's arguments, must reach consensus.

Discuss the problems encountered with reaching a common decision and how they resolved these conflicts.

Evaluation

Participation and response of students

Unit: Rules/Laws

Purpose

To recognize that rules are made for the protection of the person; to have students develop rules which are appropriate to a given situation; to become familiar with government structure and the process of lawmaking.

Activities

- Have students list rules which apply to them at home, at school, and in the community. Categorize them on a master list as rules to protect, rules to guide, and rules of safety or any other categories which seem applicable. Keep these posted on butcher paper in the classroom. Discuss similarities and differences and whether the rules serve to protect an individual as well as preserve society.

- Present material to the students on the six points of workable rules.

  Well-written

  Clear, understandable

  Able to be followed

  Able to be enforced

  Not in conflict with another rule

  Have a penalty

- Divide students into groups, such as, lost hikers, students on a field trip, settlers on the moon, etc. Have them develop rules for their particular situation and post them. The group should compare and contrast these rules. Each student should write a short paper explaining why the rules are similar or different.

- Divide the students into groups and have them develop five workable rules for the classroom. List each group's rules on the chalkboard and guide the class to develop a list of no more than ten rules. Be sure to point out that class rules cannot be in conflict with school rules. Post the rules decided on and have each student sign his or her agreement. Appoint various students as members of a panel to make judgements on any violations.

- Develop an assignment sheet on which each student will identify at least one member of every government level.

- Collect news articles and discuss whether they are local, state, or national; executive, legislative or judicial and place them in the correct spot on a charted bulletin board.

- Invite speakers such as councilmen, legislators, or congressmen to describe their positions, the authority they exercise and the responsibility which goes with the position.

- Perform the play "A Bill Becomes a Law" Lawmaking, Law in Action Series, by Reikes-Ackerly, West Publishing Co., St. Paul, MN, 1980.

Evaluation

Written material, news articles, and test on government structure.

Unit: Conflict Resolution in Law

Purpose

To understand the difference in civil and criminal cases, to develop skills in analyzing disputes by using the case study method, and to explore trial methodology by developing a mock trial from the children's book *In Summertime Its Tuffy* by Judie Angeli, Bradbury Publishing, New York, 1977.

Activities

- Invite a judge or local attorney to speak to the class about the differences in civil and criminal law and to describe courtroom procedure during a trial.

- Give students a list of questions to use for case study analysis. They are:

  Who is involved?

  When did the situation happen?

  Where did the situation happen?

  What actually has happened?

  What must be resolved?

  What rules or laws are involved?

  What should be decided?

  What additional information would you need to make a decision?

- Have the students go through the analysis together. Give students a listing of several cases, either real or hypothetical, and have them complete case studies on any two.

- Read the book *In Summertime Its Tuffy.* Each student should have a copy of the book for reading outside of class. Discuss the conflicts in the book and the various outcomes it could have had. Make sure that students understand rules of evidence in courts, and the roles of the various participants in a trial. Then, using that information and the material in the book, develop a mock trial in which Sheila must stand trial for breaking the camp rules.

Evaluation

Written materials turned in, participation in mock trial, and knowledge of courtroom procedures.

Rules and Responsibilities

An Alien Approach to Law

Katherine Zuzula
Elementary School Teacher
Richmond, Kentucky

Introduction

This unit is designed to create an awareness of the importance of laws and rules in our society. It consists of ten activities to be used with elementary school children, grades one through four.

The activities focus on the language arts approach for vocabulary development and creative writing. Creative expression is encouraged through listening, speaking, writing and drawing activities. Each activity requires 30 - 45 minutes for completion, but may be modified to accommodate the various grade levels.

The students are introduced to a creature from another planet who does not understand what laws are and why they are necessary. It is the task of the students, through the language arts activities, to acquaint the creature with the importance of laws. An emphasis on home, school and community rules is stressed. The characteristics of good citizens are discussed.

The following activities are included in this unit:

1. Introduction of the Creature
2. Home for ALIEN
3. What is a law? Do We Need Laws?
4. ALIEN Develops a New Vocabulary
5. Classroom Rules
6. Home Rules
7. Community Rules
8. Funny Law Day
9. A Silhouette of a Good Citizen
10. Farewell to ALIEN

Activity 1: Introduction of the Creature

Purpose

- To introduce a creature from another planet
- To introduce new vocabulary words
- To classify words into categories
- To name the creature

Materials "A creature," word cards, a nametag, tape, chart paper

Procedure

1. A strange creature arrived in our classroom last night.
    - Why do you think it came to our earth?
    - What do you think it can learn from us?
    - How are we going to communicate with it?
    - What can we do to make it feel welcome?
2. On a sheet of paper have the following narrative written: A creature from another planet has arrived in our classroom. It comes from an environment which is *chaotic* and *disorderly. The creature wants to observe us so that it may learn how harmony* and *order* is achieved on our planet earth. It wants to be a *friend, not an enemy* to us. The creature is anxious to learn about *laws, how they influence our behavior and why they are necessary.*

3. Write the underlined words from the above story on cards.
4. Discuss the meanings of the words.
5. The words on cards are to be classified into two categories.
6. On the chalkboard are two faces. Under the smiley face we will put the words which describe *positive interaction* between people and under the sad face we will put words which describe *negative interaction*.
7. The student participates by saying the words on the cards and by putting them under the correct heading on the board.
8. Our creature wants a name to be used while it is on earth. He wants to learn about laws and he requests that we give him a name which will describe the process of learning about laws.
9. The teacher introduces the name ALIEN and the word which each beginning letter represents.

   A pply

   L earn

   I nvestigate Laws! Laws! Laws!

   E valuate

   N eed
10. The word ALIEN is written on a nametag and given to the creature.

Activity 2: Home for ALIEN

Purpose

- To construct a learning center as a home for ALIEN
- To create an awareness of law-related topics discussed in newspapers, magazines and the media

Materials

A table, bulletin board, wall space, drawing paper, crayons, construction paper, scissors, glue, yarn.

Procedure

1. This is the second day that ALIEN is with us. He has decided that he would like to have a home in our classroom, so that he could stay on earth for a while.
2. An area with a table and with bulletin board space is to be considered as a home for ALIEN. Space should be provided to display students' creations and for law-related articles which the students will bring in.
3. The students are given a piece of drawing paper, scissors and art supplies to create a "Welcome" sign for ALIEN to hang in his new home.
4. The students are encouraged to decorate ALIEN's home with books, magazine and newspaper articles dealing with law related topics and any other type of stimuli which will develop an interest in law related education.

Activity 3: What is a Law? Do We Need Laws?

Purpose:

- To define what a law is
- To discuss why laws are necessary
- To discuss what a society without laws would be like
- To classify pictures

Materials

Chart paper, markers, drawing paper, crayons, tape

Procedure

1. ALI EN has never heard the word law before. He wants us to explain to him what a law is.
2. Raise your hand and tell me what you think a law is.
3. Teacher writes students' responses on a piece of chart paper titled: A law is . . .
4. Now ALIEN wants to know why laws are so important in our society i.e. home, school, community.
5. On the second sheet of paper the teacher writes the students' responses to: Laws are important because . . .
6. ALIEN wants us to describe what we think earth would be like without laws.
7. On the third sheet of chart paper the teacher writes the students' responses to: What if there were no laws?
8. The students are given a piece of drawing paper and instructed to draw a picture depicting a situation where a law is being obeyed or disobeyed.
9. The pictures are then given to ALIEN.
10. The teacher states: ALIEN is not familiar enough yet with the concept of whether or not a law is being obeyed or disobeyed just from looking at your pictures. He needs your help. Please raise your hand and describe your picture to ALIEN and the class. If your picture describes a law being obeyed, put it on the board under the smiley face. If a law is being disobeyed, put it under the sad face.
11. The pictures are displayed in the learning center.

Activity 4: ALIEN Develops a New Vocabulary

Purpose To develop vocabulary

Materials

Word cards, sentence strips

Procedure

1. ALIEN would like to learn some new words to take back to his planet. He would like us to introduce some new words to him and use them in a sentence to be sure that he really understands the meaning of them.
2. The teacher has the following words written on cards: laws, rules, responsibility, safety, rights, protection authority, power, justice.
3. The words are identified and discussed.
4. Sentences with a blank space or two are written on strips for the students to read.
5. The students are instructed to read the sentence, choose a word card off the board and fill in the blank space in the sentence.
6. Examples of sentences are:
   a. *(Laws)* are necessary so that we will have order in our society.
   b. We have *(rules)* to follow at home, school and in our community.
   c. It is our *(responsibility)* to obey laws and rules.
   d. As citizens of the United States, our *(rights)* are protected by laws.
   e. Laws provide *(protection)* for us and our property.
   f. Our *(safety)* is insured if laws are obeyed.
   g. *(Justice)* is provided for all by the development of laws.

h. Lawmakers have the *(power)* and authority to design laws which will provide a peaceful environment for us.

7. ALIEN is so happy that we shared some new words with him.

8. If the student correctly fills in the blank and reads the sentence properly, he will give the sentence strip to ALIEN.

9. ALIEN will keep the sentence in his home so that he may look them over. In our free time we may go to ALIEN's home and review the sentences with him.

Activity 5: Classroom Rules

Purpose

To develop classroom rules

Materials

Chart paper, markers

Procedure

1. ALIEN is very impressed by our orderly classroom. He says that creatures on his planet could be good students if they had classroom rules to follow like we do. He wants us to show him how classroom rules are developed and what happens if classroom rules are not followed. He wants to take a copy of our classroom rules back to his planet with him.

2. The students develop classroom rules which are dictated to the teacher and written on a large sheet of chart paper.

3. On a second sheet of paper, the consequences for inappropriate behavior are listed.

4. The classroom rules are shared with ALIEN.

5. ALIEN hangs the classroom rules in his home.

Activity 6: Home Rules

Purpose To discuss rules which are followed at home

Materials

Construction paper houses, crayons

Procedure

1. Since ALIEN cannot visit each one of our homes, he would like each one of us to share one very important rule which we follow at home. Because he has a limited vocabulary, he would like us to complete this sentence by drawing a picture: "An important rule which I must follow at home is . . . ".

2. The teacher writes the sentence starter on the board.

3. The teacher then writes the response of each child on the top of the drawing on their paper house.

4. The drawings are stapled together to form a booklet with the sentence starter as the title of the book. "An important rule which I must follow at home is . . .

5. The book is given to ALIEN to look at.

ALIEN
NO, I DON'T THINK HE'S AN ILLEGAL ALIEN. HE LANDED IN MY BACKYARD IN A FLYING SAUCER. THAT'S NOT ILLEGAL, IS IT?

Activity 7: Community Rules

Purpose

- To provide a guest speaker to discuss city laws and their importance
- To utilize a community resource person
- To provide media coverage (a newspaper article and a picture) about the guest speaker and the importance of law-related education in elementary classroom.

Materials

A guest speaker such as a judge, attorney, state representative

Procedure

1. ALIEN wonders who is responsible for making laws and representing the people in your community. For that reason, we have a very special guest speaker who will speak to you and ALIEN about laws, how they are made and the consequences for people who disobey laws.
2. ALIEN is introduced to the guest speaker.
3. A question and answer period follows the guest speaker.
4. The class writes an article about the guest speaker to be submitted to the city newspaper and the school newspaper.

Activity 8: Funny Law Day

Purpose

Creative Expression

Procedure

1. ALIEN thinks that it would be a fun experience to be a lawmaker. ALIEN wants to know what kind of a new law you would create for your home, school or community if you had the authority to do so.
2. We will divide the class into three groups. The first group will create five new school laws (rules), the second group will create five new home rules and the third group will create five new laws (rules) to be followed in the community. The laws may be funny or serious in nature.
3. The five new laws from each category are each written on a piece of chart paper.
4. After the laws on each sheet of chart paper are discussed with the students, they are given the opportunity to vote on two laws from each category (home, school, community).
5. The two laws from each category that receive the most votes are the new laws to be enacted for a day.
6. A day may be determined as "Funny Law Day" in the classroom where the children will be expected to obey the two new laws which they created for the classroom. Examples: Everyone must wear yellow clothing on Wednesday. Every student must address each other by Miss or Mrs. on Friday.

Activity 9: A Silhouette of a Good Citizen

Purpose

To discuss the characteristics of a good citizen

To discuss the responsibilities of a law abiding citizen

To stress the important role that each of us plays in maintaining an orderly society.

Materials

A silhouette of each child, writing paper cut in the shape of each silhouette, pencils, paper frames

Procedure

1. A LIEN wants to take back a remembrance of each one of you in the class. Since he does not have a camera, we will give him a silhouette of our profile to remember us by.
2. With our silhouette we will include a composition of how we think a good citizen behaves. He wants to use our writings as a model of what a good citizen is with the students on his planet.
3. We will each compose a story to be written on our silhouette.
4. The story starter will be: "A model citizen is . . .
5. After we complete our composition, we will read them aloud to ALIEN and the class.
6. We will put each of the silhouettes with the stories in a frame and give them to ALIEN to take back with him to his planet.

Activity 10: To Bid Farewell to ALIEN

Materials

Drawing paper, crayons

Procedure

Today ALIEN is leaving us to return back to his planet. He has learned so much about laws and good citizenship from each and every one of you. He would like each of you to make a poster for him to take back with him to share with the other creatures on his planet. He wants you to make a slogan using the word Law or Laws in it. You are then to draw a picture illustrating your slogan. ALIEN will hang these posters up in his home and take them back with him when he departs.

Rules and Responsibilities

Youth and the Process of Change

Joyce Rawlinson
Elementary School
Teacher
Dotham, Alabama

Audience

First grade students

Purpose

As in the old adage"put a ring in a bull's nose and you can take him anywhere" so it is with children when they're told and never allowed to question. It has long been taboo for children to question authority but if we persist with this idea the strength of our country is weakened. This activity gives an opportunity to study, analyze, and discuss what changes, if any, should be made with their school laws.

Time to Complete Procedure

The time will range from two to three weeks for first graders to develop the necessary vocabulary and background information. Fifteen to twenty minutes per day will be the amount of time spent on the topic.

Procedure

First Activity

- The teacher will introduce the students to their new vocabulary which is listed on a chart: rules, laws, breaking the law, policeman, court, lawyer, judge, jury and uniform. Discuss the meaning of these words. List the children's definitions beside the words for later use.
- List people who wear uniforms. Categorize these people in divisions of community helpers and others. Why are uniforms necessary for these people? Invite a policeman to the classroom to share some laws with the class. Also determine how we can all recognize a policeman. Learn a song about a policeman, share a poem, or write a language experience story of the policeman's visit with the class. Have the children draw themselves with a policeman illustrating a law the policeman shared with the class.

Second Activity

- List the word respect on the vocabulary chart, developing a definition for this new word.
- Read and discuss the book *The Value of Respect: The Story of Abraham Lincoln*. Bring out the idea of owning another person as a way of life during Abraham's time.
- Use the following questions to discuss this way of life and determine if this was a good or bad idea:
  What happened to change this way of life?

  Should we always go along with everything we are told?

  What could we do if we do not agree with what is happening?

  What could we do about a law that is not right?

Third Activity

- Review the definitions of laws and rules.
- Have an attorney come to the classroom and discuss the roles of judges, juries, and the court system to the class.
- Establish where rules and laws are written.

- Show the chart of established school rules. Use the following questions to discuss these rules with your students.

  What is the reason for this rule?

  Why do you suppose we have this as a school rule? (Example: for safety, for health, to protect our environment.)

  Is the rule necessary?

  Could you think of a better rule to replace this one?

- Brainstorm with your class for a better rule. List any suggestions made by your students on the board. Discuss each suggestion and determine as a class if they think it is better than the one already recognized by the school.

Fourth Activity

- Review the rule the class decided to change from the previous day's lesson.
- Ask: How do you think we could have this rule changed?
- Let the class discuss what should be done. Have the class list ways to go about changing their rule to the new one that they have developed.
- Read the story of Ralph Bunche from the Value Tales series to help the children establish a definition for responsibility. Establish through the questioning process whose responsibility it is to obey and enforce this new rule.

Fifth Activity

- To test our new rule for effectiveness have the class try out the rule to determine if it accomplishes the objective that the old rule maintained.
- Role play situations that would also test the new rule. These situations will be written after the children have stated their new rule.
- Discuss what was learned from each role playing situation.
- Once the students have formalized their new rule, discuss what to do next for getting this rule changed.

Sixth Activity

- Elect a group of children to approach the principal with the suggestion for the new rule. Have the class dictate a letter to the principal asking him for his cooperation in letting them replace an old rule with one they think is better. Explain in the letter the procedures the children used to test out their new rule.
- Follow up with any suggestions made by the principal.
- Have the group report back to the class about their visit with the principal.
- Have posters made by classmates to illustrate the new rule to be hung in the hallways later for the follow-up activity.

Seventh Activity

- Use the following questions for debriefing of the class:
- Why did you decide to change this rule?
- Have we developed a better rule than the old one?
- Was the procedure we used to change this rule the best way to do it or do you think we could have done it differently?
- How did the policeman help us?
- How did the lawyer help us?
- What was the function of our principal?
- How do each one of you feel about our new rule?

Evaluation

The evaluation will come through class participation, the debriefing, and their individual effort made to follow this rule.

Materials and Resources

Policeman

Lawyer

Books: *The Value of Respect: The Story of Abraham Lincoln*

A Value Tale by Ann Donegan Johnson

The Value of Responsibility: The Story of Ralph Bunche

A Value Tale by Ann Donegan Johnson

The Value of Fairness: The Story of Nellie Bly

A Value Tale by Ann Donegan Johnson

Chart paper

Magic markers

Manila drawing paper

Song book: Piggy Back Songs

More Piggy Back Songs

Follow-up

An interesting follow-up will be to take the posters the children made and put up in our hallways. After putting up the posters, have a committee of children go to other classrooms and discuss their work of changing a rule with other classes and possibly get other students and teachers involved in law and the process of change.

I THINK THIS IS THE UNIFORM PRESIDENTS USED TO HAVE TO WEAR.

Rules and Responsibilities

As Humanity's Presence in Space Grows, So Does the Future Need for Laws and Decision Making

S. Christa McAuliffe
Concord High School
Concord, New Hampshire

Editor's Note:

Christa McAuliffe was selected for the SPICE project prior to being selected for the teacher in space program. Christa corresponded with CRADLE during her training and was going to write the foreward for this book. Her fellow SPICE teachers have dedicated their book to her, and wanted to include part of the space law lesson plan developed by Christa and the nine NASA teacher finalists. The following activities were included in the NASA Teacher In Space Project booklet. NASA granted CRADLE reprint permission.

Activities

- List potential problems of law and governance in space: rights of space travelers, repatriation of downed astronauts, liability problems, ownership or control of heavenly bodies or areas. Investigate the current status of law in space. To introduce the topic, present the following problem:

  Geosynchronous satellites orbit above Earth. Who determines right of way for these orbits and who assigns transmission frequencies? (The United Nations, The International Telegraph Union, ITU, has a special arm, the World Administrative Radio Conference, WARC, to make such allocations.)

- Assign students to research the network of United Nations and intergovernmental space agencies which establish and enforce space laws.

- Have students research existing guidelines and principles for space government. Provide copies of the provisions of the Treaty on Principles Governing the Activities of States in the Exploration of Outer Space, Including the Moon and Other Celestial Bodies opened for signature by the U.N. General Assembly in 1967. Discuss with students why it is called the Magna Charta for space.

- Give specific examples of circumstances that the students could classify by the appropriate treaty provision. For example,"A country cannot claim territory in space." "A country should regulate the space activities of its citizens."

- Encourage students to create editorial cartoons or vignettes involving the special problems of space law.

- Have students design an outer space regime as they believe it should function. Some issues surrounding the creation of the regime may be one nation-one vote versus votes based on contribution, enforcement, jurisdiction, and courts.

> Tonight I am directing NASA to develop a permanently manned space station —
> and to do it within a decade."
>
> Ronald Reagan, State of the
> Union Address, January 25, 1984

- Ask students why the President made that decision, committing vast amounts of national resources at a time when budget deficits were rising.

- Introduce the concept of a decision-making model or process. Use examples of other pivotal space decisions, such as the lunar landing, or ask students for their ideas of other historical decisions. Reinforce the concepts of goals, alternatives, and expected outcomes.

Resources

A Treaty of Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. The Treaty was opened for signature on January 27, 1967. This"Outer Space Treaty" or"Space Char-

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ter" has been characterized by some as a Magna Charta for space. Treaty provisions declare that:

- International law and the Charter of the United Nations shall apply to space activities.
- Outer space and celestial bodies are the province of mankind and shall be used only for peaceful purposes and for the benefit of all mankind.
- Nuclear weapons of mass destruction, military bases, and military maneuvers are banned from space.
- Outer space shall be free for exploration, use, and scientific investigation.
- There can be no claims of sovereignty or territory by nations over locations in space, "by means of use or occupation or by any other means."
- Jurisdiction over space objects launched from Earth shall be retained by the launching state.
- Private interests are recognized as having freedom of action in space, so long as a government or group of governments on Earth authorize and exercise continuing supervision over their activities. Signatory nations (seventy-eight at last count, including the United States and the Soviet Union) are therefore under a duty to oversee the activities of their citizens and commercial ventures in space.
- Governments are liable for damage caused on Earth by their space objects.
- Astronauts are "Envoys of Mankind" and are entitled to non-interference and all necessary assistance in distress.
- The natural environments of celestial bodies should not be seriously disrupted, and Earth must not be contaminated by extraterrestrial organisms.

Constitution

What About a Man Who Stands by Idly Watching?

Marjorie Montgomery
Junior High School Teacher
Newton, Massachusetts

Audience

This is an English/social studies activity for secondary school American history students.

Purpose

The purpose of this activity is to have students explore, through historical research and the trial process, the idea that one person can, and perhaps has an obligation to, change the way a government operates. By investigating the lives and playing the roles of the founding fathers of Massachusetts, students will develop an idea of how a person's point of view changes with time and with political power and see how "our" revolution is always noble whereas "their rebellion" must be oppressed. By 1786 John Hancock, Samuel and John Adams, Rufus King, Henry Knox, and Benjamin Lincoln no longer seemed to subscribe to the principle that:

> "When any form of government becomes destructive, . . . it is the Right of the People to alter or to abolish it, and to institute a new government, laying its foundation on principles and organizing its power in such form, as to them shall seem most likely to effect their Safety and Happiness."

Students will be able to look at Henry David Thoreau, Mahatma Gandhi, Martin Luther King, Daniel Ellsberg, Bishop Desmond Tutu, and others, and be able to formulate a framework to evaluate their actions.

Background for the Trial

The farmers of western Massachusetts came home as heroes after the Revolution, but found they had lost most of what they had been fighting for. In their absence, their wives had been forced to mortgage their farms to merchants, lawyers, and judges; there was no hard money to pay those mortgages and those who held them refused to accept goods in payment. The Court of Common Pleas foreclosed on the farms, on essential goods, or threw the farmers into debtors' prison. Taking a man's plow or oxen assured that the farmer could not get his crops in as surely as placing him in debtor's prison. Unable to secure relief from the legislature through petition and county conventions, the farmers turned to rebellion and shut down the courts, hoping that then the legislature would listen to them. In 1786 both Job Shattuck and Daniel Shays were convicted of treason under the Articles of Confederation. These armed rebellions, highlighting the weakness of the Articles of Confederation, were a strong force leading to the Annapolis Convention and later the Constitutional Convention.

The issue here is not whether Shays and Shattuck were guilty as charged; they admitted they were. What is in question is the validity of the law which allowed men of little property to lose what they had to men of considerable property. This is a case of putting the law on trial as with John Scopes, Galileo Galilei, Daniel Berrigan or Dr. Benjamin Spock.

In addition to the philosophy of rebellion, civil or uncivil, students will be learning about the outcome of the Revolution and the workings of the early government under the Articles of Confederatikon. In addition they will be building skills in trial procedures, historical and legal research, organization, composition, speech, leadership within teamwork, and self confidence.

This activity can work only if the students own it; while the teacher can suggest and guide, the students have to make it real. The teacher has to have the trust and confidence to step back and let them wallow in chaos and then make order out of that chaos. Giving students a step by step guide to the outcome of the trial which the teacher has preordained will destroy their sense of empowerment.

Materials

Concurrently students will need to investigate the activities of Shays and Shattuck and to learn trial process. The historical background needs to be very clear for them to place the trial in time. There are three useful sources:

"The People vs. Job Shattuck", produced by National Geographic Films

The Winter Hero, by James and Christopher Collier

Shays' Rebellion, by David Szartmary

Assuming that this is the students' first exposure to the law, having a lawyer or law student(s) who work well with adolescents is essential here. Once the students have control over the historical materials, they need to begin with legal process. It is helpful if there are two adult legal advisors available, one to work with the prosecution and one with the defense.

Time

An hour to an hour and a half daily with students who are willing and able to research on their own time.

Weeks 1 and 2 — Present the historical situation and have students begin to get mastery of the history through reading the novel, *The Winter Hero*, watching "The People vs. Job Shattuck", and skimming *Shays' Rebellion*, as well as any other historical research they can handle.

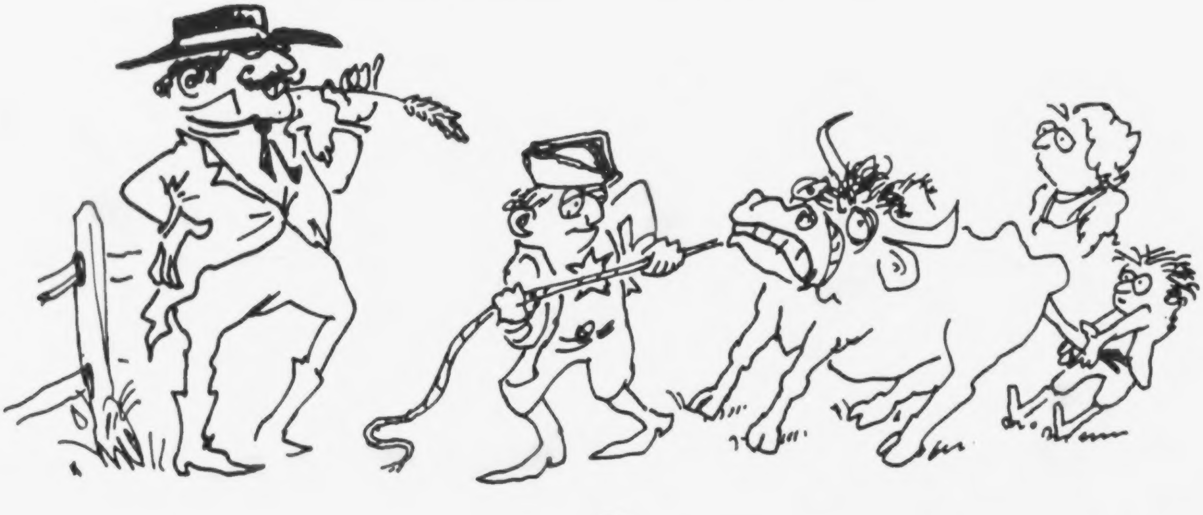
Weeks 3 and 4 — Divide students into defense and prosecution. Further divide them into those who are concerned with process and those with content. The adult legal experts should work on opening and closing arguments, direct and cross examination, objections with the student legal experts. Those working on the historical material should develop their characters and work with the legal experts on how best to present them.

Week 5 — Practice, practice, practice, with the adult advisors if possible.

Week 6 — Presentation and Evaluation

Evaluation

The trial itself is the culminating activity, but as this whole experience focuses upon process, the outcome of the trial is not crucial. If the students have mastered the historical details, developed a strategy, presented their cases clearly, and created credible, historically consistent characters, they have succeeded.



Constitution

"Any Way You'd Like It" Constitutions, Rules, and Laws

Nicki Horowitz
Junior High School Teacher
Belmont, North Carolina

Audience

This is an introductory activity to the study of the U.S. Constitution developed for ninth grade civics/ LRE classes. It can be completed in 2 to 4 class periods of 50 minutes each.

Purpose

Ninth grade students often have a somewhat nebulous idea of what constitutions are. If students could experience the need for a constitution, they would understand its purpose. If they know how certain rules, or laws, are developed and applied before actually studying the U.S. Constitution, their understanding and appreciation of this document would be enhanced. Developing the concept of organizing a group according to a set of rules based on the cultural values and mores of that group is also the purpose of this activity. Additionally, students will expand their abilities to work cooperatively within a small group to produce an end product.

Materials Needed

A detailed collection of pictures, maps, charts, etc. of any geographic area with diverse features will be needed to build a graphic picture of the fictitious land for which a constitution will be developed. Art materials will be needed for groups to make bulletin boards or other visuals featuring several aspects of the laws developed for their fictitious country. Presentation of the background material may be facilitated by the use of an overhead projector and transparencies.

Procedure

Begin the activity by introducing the class to a newly settled country. You might tell a story about a group of people from an overcrowded land who set out with a fleet of spaceships to find new lands to settle. The following steps will help you create the story:

- A population of 50,000 people have volunteered to settle this new land but they have no leader as yet.
- Elaborate on the story by presenting a collection of pictures/slides to give the students a graphic view of what the new land looks like.
- Point out which natural resources are available in large quantities and which are scarce.
- Develop and show a map of the country on an overhead projector.
- Give out mimeographed copies of the map so the students can mark the features discussed.
- Work to develop the picture of a land diverse in features and resources.
- End the story by pointing out that the students are among the 50,000 settlers and have been asked to bring some kind of order and organization to the group.
- Allow for questions and comments at this point.

Students should now be divided into 3 or 4 small heterogeneous groups of no more than 7-8 members each. Give the groups about 10 minutes to discuss the new land and their feelings on embarking on this strange new expedition. Ask them to go over the facts of the situation. What concerns do they have; what problems do they face in bringing order to the group?

Involve the students in the creation of the culture in this country. Guide them in their task of organizing a structure for their population by posing the following problems to them:

- How will your country be organized?
- Does it need rules for the people to follow?
- What kinds of rules will be needed to set up the government?
- Who will be in charge, one person, a group, everyone?
- How will you pick the leaders?
- Should any limits be placed on what the leaders (government) can do?
- What kinds of laws will the people have to follow?
- Should the laws be written down?

Ask each group to discuss these questions and any others they have of their own. Each group should appoint a recorder to write out the list of rules they have decided on to organize their government and a list of laws they will expect the people to follow. Encourage the groups to name their countries with the name reflecting the way the country is organized. Give the class a reasonable amount of time to arrive at their list of rules and laws (their constitution). Work with individual groups as needed.

When each group's constitution has been completed, ask the groups to develop a way to present the concepts and main features of the laws of their country to the rest of the class. This may be a bulletin board, home made film strip, a role play, or simply an explanation in the form of an oral report. Plan time for these presentations.

The completion of this activity leads directly into a study of the U.S. Constitution. You should point out that the American colonists, at the time of the Revolution, did just what the student groups did ? developed rules and laws to organize and govern our country. Also point out that the rules and laws the colonists developed were based partly on historical laws and what the colonists were familiar with and partly on the values the colonists brought with them to America. The student's laws will be drawn from a similar basis.

Extensions of the Activity and Follow Up

This activity could be extended to include the presentation of the facts of a court case to be decided by each group according to their own country's constitution. The decision can then be compared to the actual decision which is based on the U.S. Constitution. If the group's constitution provides no basis for a decision to a particular case, the need for an amending process and the need for a way to add additional laws can be pointed out.

If economics is taught as part of the civics course, this activity could be extended to include the development of an economic system for the country.

Evaluation

Evaluation of the students' understandings of the concept of organizing a group through a set of rules, or a constitution, can be done through the observation of the group presentations. Observing the groups during the process of developing their constitutions will also aid in evaluating the activity.

Constitution

Creating the Future

Philip Coggin
Junior High School Teacher
Bow, New Hampshire

Introduction

The study of history has revealed that nothing lasts forever — change is inevitable. A careful look at the changes that have occurred in the United States and the rest of the world during the past forty years would be ample testimony. As the world prepares to enter the next century, thoughtful persons are beginning to understand that the challenges and opportunities created by change will alter our lives more significantly than ever before.

Educators will have the difficult task of helping the next generation understand the nature, causes, and consequences of change. However, American history and law teachers have the opportunity to discover new ways of studying the impact of change on our world.

One path of exploration that could combine the study of our past with an analysis of our legal system is the systematic development of a futures perspective.

Overview

This program involves a year-long eighth grade law class. The class should strive to complete the following during the course of the year:

- Study alternative futures by analyzing current trends in society.
- Construct a future world using geographical, economic, political, and cultural models.
- Invent and then analyze a series of legal issues that illustrate the impact of technological change on our culture.
- Celebrate the United States Constitution by presenting a"Futures Day." Teachers and students in school would be invited to attend and/or participate in this one-day celebration. Guest speakers and other celebrities would also participate. The current state (2087) of the Constitution would be explored.
- Measure the success of the program by techniques such as debriefings and self-evaluations. Students could determine if they possessed the skills to create new ideas that would shape our future.

Purpose

Studying law and American history from a futures perspective will make new demands upon these eighth grade students. Each participant will strive to achieve the following goals:

- An understanding of the importance and impact of change in our world.
- An awareness of the role of the United States as a future partner in the world community.
- An appreciation for the power of the individual in shaping the future.
- An ability to create several alternative futures with the idea of selecting the best one.
- An ability to identify legal, moral, and ethical questions that will be raised as a result of biomedical, chemical, and other technologies.
- An ability and willingness to use insight, ideas, and vision in order to build a free, healthy, and peaceful future.

Procedures

All assignments, discussions, and activities will center on the relationship between current society and alternative futures. The following represents a *select* list of objectives and prescribed activities for some of the established goals. Certain examples will follow the instructional model established by R. L. Ferguson in his paper "Teaching Educational Essentials Through Futurism."

- Using various resources, students make a list of all foreign-owned companies in their state. Property location, total assets, and econommic impact of companies would be explored.
- Students research America as it existed in 1887. Using worksheets and data, comparisons are made to America in 1787 and 1985.
- Students study the involvement of several nations in the making of one product.
- Students construct time capsules designed to give scholars in 2087 a glimpse of what life in America was like in 1987. Each capsule would consist of ten items selected by each student. Popular and higher culture are explored. Tools used by the scholar to make sense of the past are analyzed.
- By using debates, hearings, and other formal proceedings, students enact laws that reflect the changes in American society. For example, through the development of teleconferencing, New Hampshire allows all students between 14 and 19 to take all "high school" classes at home.
- Students interview "criminals" who have received special treatments to cure them of their violent dispositions. Psychosurgery would be an example of one treatment.
- Students construct a series of laws that would govern all new tunnel transportation. The latest "tunnelbus" can travel from Boston to San Francisco in 35 minutes. Hearings would be held. All underground concessions and workers would be affected.
- Instructional Model:
    A) Essential Goal: Acquire the capacity to meet unexpected challenges.
    B) Futures Goal: Understand the dilemma presented to society as a result of biomedical breakthroughs.
    C) Skill Goal: Problem solving and decision making.
    D) Futures Topic: Biomedical engineering. Study of the glandular structure of human beings.
    E) Learning Activity: A biomedical research team from Duke University has developed a technique to arrest the aging process. Death could become obsolete. Students will conduct a formal debate. Questions will include the following: "Should this knowledge be made public?"

THEY SAY THEY HAVE THE RIGHT TO BE EDUCATED IN THEIR NATIVE LANGUAGE!
QUETZL ?

Resource Materials

The following list of materials can be consulted.

Journals/Newspapers

Omni

Discovery

New Age

Science

Smithsonian

The Science Teacher

John Naisbitt's Trend Letter

The Christian Science Monitor

New York Review of Books

Reference Books

The Third Wave by Alvin Toffler

The Next Two Hundred Years by Herman Kahn

Megatrends by John Naisbitt

Managing in Turbulent Times by Peter Drucker

Encounters with the Future by Marvin Cetron and Thomas O'Toole

The Social Impact of Computers by Gerald Silver

Cities in Flight by James Blish

The Twilight Zone Companion by Marc Scott Zecree

The Collected Short Stories by Ray Bradbury

The Aquarian Conspiracy: Personal and Social Transformation in the 1980's by Marilyn Ferguson

Evaluation

At the conclusion of each lesson, activity, or project, use a variety of measurements to determine whether each student understands the basic *themes* presented. The effectiveness of the program will be based upon the ability of each student to create and implement new ideas in a future society.

The following is a sampling of traditional techniques of measurement:

- Written student critiques of projects and long-term exercises. Self-evaluation will be included.
- Written and oral classwork and homework assignments that will require an understanding of a particular issue.
- Written and/or oral debriefing exercises on all major activities and projects.
- Guided discussion method as prescribed by the Air University, U.S.A.F. All discussions will be using this method.
- Carefully planned projects that will require the application of essential skills.

Constitution

Using Primary Source Material: A Rationale

Robert Libby
High School Teacher
Biddeford, Maine

Critical reading skill must be considered among the most important tools for the secondary school student. Reading for historical interpretation and analysis requires the student to master the reading of primary sources. Often our students are presented evidence of our country's legal traditions, customs, and documents based solely on the historical reporting and interpretations in text books. Students are told of the importance of the Constitution, Federalist Papers, and Emancipation Proclamation but never read them. Further the seminal documents of our legal history are quoted without consideration of the writing process that created them; the individual authors and the political climate are not understood.

In this project the teacher should collect a number of primary source materials that relate to great legal issues in American history. The specific items in the collection should be chosen for the analytical and interpretive possibilities for the individual reader.

Three types of selection should be included.

- First, in each case an individual of great reputation as a writer and creator of legal or ethical theory should be chosen; this writer will have created a public document that provided precedence or standards for American social thought. Thomas Jefferson's *Declaration of Independence* and Henry David Thoreau's *Civil Disobedience* are examples.

- Secondly, this public and formal writing will be supported by private correspondence or journals of that individual that relate to the same issue as the formal piece. The close presentation of these public and private expressions should encourage an analytical connection for the individual reader concerning the rhetorical differences between public and private expression. It is further hoped that these materials will encourage students to routinely seek private primary source material when conducting research on historical issues. Students should recognize differences in tone, language, and possibly content by comparing the public and private statements.

- Thirdly, primary sources should be sought by the same writers on the same topics, but considered and written at a different period in the writer's career. The analytical opportunity created by this selection seeks changes in expression caused by changes in attitude of the individual writer or caused by changes in the prevalent social climate. For example , the increasing radicalism of Thoreau toward the issue of slavery and the increasing conviction of Martin Luther King, Jr. against the Viet Nam War. Private correspondences of Jefferson and John Adams after they were each President are potential materials to illustrate this point.

The primary goal of this project is collecting useful examples that will give students a successful analytical experience with primary source materials. Further it is hoped that the students will be led to regularly seek primary source letters and journals as part of their research. The materials are further selected because they deal with the development of some of our most cherished legal principles. The right and responsibility of individual civil disobedience, the difference between civil rights in peace time and war time, using the law to correct long standing inequity in society are some of the issues that will be exposed. Examples of executive initiative, legislative statute, and individual citizen expression can be included.

Constitution

Breathing Life Into the Constitution: A Reenactment of the Constitutional Convention

Carolyn Phillips
High School Teacher
Bryant, Arkansas

Audience

Seventh through twelfth grade students

Purpose of Activity

To bring to life the Constitution of the United States. The Constitution is the supreme law of the land and the oldest written form of government in the world; yet to students it remains only words on parchment paper. Students will research and discuss the major issues of the Constitutional Convention and will gain an appreciation for the arts of debate and compromise. Students will examine the roles of the founding fathers and bring them to life through their role-playing. Planning the reenactment will offer students the opportunity to explore the fashions and customs of the constitutional period. Students will develop a better understanding of the Constitution's modern application through the news media's questions and the delegates answers on today's constitutional issues.

Time to Complete Procedure One to two weeks.

Procedure

1. Review the need for the new constitution by comparing the weaknesses of the government under the Articles of Confederation to the strengths established by the Constitution.

2. Introduce the Constitutional Convention by leading the students through the guided imagery,"We the People", the Making of the Constitution. (Addendum One)

3. Introduce the individuality of the fifty-five founding fathers by giving the students thumbnail sketches of a few of the delegates to whet their curiosity.

4. Divide the students into small groups to research one of the following topics and report to the class:

    - The fifty-five delegates to the convention with emphasis on those contributing most to the debate.
    - The physical setting of the meeting room in Independence Hall and ways of duplicating that setting for the reenactment.
    - The physical appearance and dress of the delegates with suggested sources available for costumes and wigs.
    - The officers of the Convention, the rules adopted under which it would proceed and their importance to the success of the Convention.
    - The introductions and ensuing debates of the Virginia Plan and the New Jersey Plan.
    - Roger Sherman's plan and the Great Compromise.
    - The debates on the representative and the slavery issues and the eventual three-fifths compromise.
    - The debates on the executive branch, the powers of the President and the election of the President.

5. Conduct class discussions based on the findings of the various groups. Decide who the most prominent delegates were and what topic or topics would be most appropriate to debate for the reenactment.

6. Conduct a reenactment of a session of the Constitutional Convention. Assign students roles as delegates with specific responsibili-

ties for the proposed session. Allow the students to have a brief rehearsal in the classroom so they will feel more confident on the day of the reenactment. Invite guests and video tape the proceedings.

7. Select students to role-play members of the news media. After the reenactment, have the leading delegates in costumes appear at a news conference. This may be as formal as "Meet the Press" or the news media may hold on-the-street interviews as the delegates leave the session. Questions may relate to the work of the session and/or concern constitutional issues of today. Video tape, also.

MY WIG ITCHES.

Related Activity

Using the famous painting, *Signing the Constitution*, by Howard Chandler Christy as a guide, arrange the students to appear as the delegates did in this painting. Have the students photographed in this pose with copies made for the classroom and the students as funds permit. The photograph may be made into posters for the students, used to publicize the students' activities and/or used on a calendar which could be sold to provide funds for future role-playing activities. A copy of the painting may be found in the *World Book Encyclopedia*, Volume 19, accompanying the article on the U.S. Constitution.

Evaluation

Students may be evaluated on research skills, group responsibilities, performances, and so on. Written and oral evaluations by the students are encouraged. Replaying the video tape can aid in this evaluation.

Materials Needed

Reference books, costumes, wigs, an appropriate location for the session such as an historical building, legislative chamber, city hall, or school library, props to authenticate the room, microphones (news conference), videotape camera; Ben Franklin sedan chair is optional.

Follow-up

Replay videotape; continue class interest and discussion of constitutional issues.

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Addendum One Guided Imagery? "We the People", the Making of the Constitution

Sit comfortably and relax.

Close your eyes. Take a deep breath and exhale slowly.

Allow yourself to travel back in time to Philadelphia in 1787.

See yourself as one of the fifty-five delegates who has just arrived at Independence Hall.

Your task over the next few months is to develop and adopt a new plan of government for the United States of America.

As you enter the stately chamber, notice the high windows on either side of the room and the low railing across the back. Smell the musty odor caused by the hot, humid weather.

As you take your place at one of the round tables covered with rich green cloths, look around at the other delegates dressed in knee breeches with silver buckles, silk stockings and long waistcoats. Notice that several are wearing carefully powdered wigs.

Feel the excitement in the air as the chairman of the convention, General George Washington, calls for order.

In the weeks and months that follow, you and your colleagues set about the business of writing a new constitution.

Listen to the other delegates argue and shout.

See yourself standing up and speaking for the people of your state.

Hear the applause from the other delegates as you make some favorable suggestions.

Return to the hall day after day as the debaters eventually turn to compromise to settle their differences.

Notice how weary and tired the delegates are.

It's September 17, 1787; after months of work, the delegates are showing their approval for the new constitution by signing their names to the document.

See yourself reading again the first few words,"We the People of the United States".

See yourself signing your name.

Feel your body swell with pride.

See the relief and joy on the faces around you.

You are shaking hands, congratulating delegates as you are leaving Constitution Hall.

See yourself returning to the classroom.

When I count to five, open your eyes.

Constitution

So You Think the Courts, Police and the Law Are Always Wrong

William Kennedy
High School Teacher
Cloquet, Minnesota

Audience

Twelfth grade advanced law class. Students should have a background in the U.S. Constitution, and Bill of Rights, Federal and State court systems, criminal justice system of your state.

Time Required

The topic is research in nature. Three class periods are needed to present information to class.

Background

The System is Failing

- A man attempts suicide by jumping in front of a subway train and is mutilated. He sues the subway and the engineer. Settled out of court for $600,000.
- In transferring the accused, the police comment on how it would be nice if the family could bury their murdered daughter before Christmas. Accused takes the police to the grave site. Evidence thrown out of court.
- Man attempts robbery of a store. Owner shoots robber in the leg. Robber sues the store owner and wins $20,000.

Every citizen is upset at reading these stories in the newspaper. I suggest that there is more to each story and the outcome may well be justified when all the facts are presented.

The rational of this research activity is to take controversial issues and cases and filter out fact from fiction, present it to the class, and let them decide if justice was served.

Materials

The teacher should have access to a law library. Most local court houses, law firms, and colleges are more than willing to help. *Black's Law Dictionary* and *The Guide to American Law* by West Publishing are helpful. The two publications that are necessary include: *Preview of the United States Supreme Court Cases*, American Bar Association, and *The Criminal Law Reporter*, The Bureau of National Affairs, Inc. Most law libraries have copies of these publications.

Procedure

The class is divided into five-member teams. Each team will select a topic. The students should be given a few days to select their topics. Make sure that two strong viewpoints can be given. Examples: AIDS in school and the workplace, abortion, right of confrontation, individual versus the state, death penalty, issue of the students' rights and the school's right in a bomb scare, right to privacy, federal government withholding highway funds unless the state raises the drinking age to 21, plea bargaining, admissability of evidence.

The team members will research and study together and prepare arguments on both sides of the issue. The team will select two presenters who will be given 45 minutes each of uninterrupted time to present their case. They will present their case to another team that will sit as an appellate court. After the case has been presented the court may ask questions of the presentors. After both points of view have been presented, the judges will give their decision, without conferring. Each judge will give his or her decision and the rational for it. One point of view will prevail. When the final decision is in, the rest of the class will have a chance for discussion. No matter what takes place during this discussion, the court's decision stands.

Example of a presentor's outline for a search and seizure case.

Side One

A. Statement of Contention
The fourth amendment's exclusionary rule should not apply to searches conducted by public school officials in school.

B. Facts of the case or relevant cases.
Use newspapers articles of the case that causes the stir. Students in research would have written letters for this information.

C. Relevant laws, codes, terms that are needed to explain your view.

Example: Police power: the power of the States and schools to regulate the health, safety and morals of its citizens.

D. Relevant parts of the Constitution. Amendments One, Four, Five, Eight, and Fourteen

Example: Fourth amendment. Make it clear they understand probable cause, reasonable search, exclusionary rule. Use example to press your point.

E. Arguments
School searches are necessary for maintaining order and discipline. The fourth amendment was not intended to apply in school setting. Student lockers are not protected by the fourth amendment.

There are ways other than the fourth amendment to protect the students constitutional rights. Drug use and abuse are at a critical point in today's society. School is the logical place to reverse the trend. The exclusionary rule is applicable in good faith Searches in school.

Society has a right to protect itself by prudent means.

Side Two

A. Statement of Contention
The fourth 'amendment's exclusionary rule does apply in school when the state attempts to use evidence illegally seized by school officials.

B. Facts of the case or relevant cases
Use newspapers articles of the case that causes the stir. Students in research would have written letters for this information.

C. Relevant laws, codes, terms that are needed to present your view.

Example: Constitutional rights protect individuals even while in school.

D. Relevant parts of the Constitution
Amendments One, Four, Five, Six, Eight, Nine and Fourteen

Example: Fourth amendment. Make it clear they understand probable cause, reasonable search, exclusionary rule. Use example to press your point.

E. Arguments

Juveniles do not shed their right to protection of the fourth amendment because they are in school.

Juveniles do not abandon their right of expectation of privacy just because they are in school.

The necessity of the exclusionary rule is no less valid in school than in any other place.

It is crucial that in school, where a student first learns rights and is confronted with governmental authority, that the student be given those rights.

The concept of in loco parentis cannot apply to deny the student protection of the fourth amendment.

The following Supreme Court cases can be used in the debate on search and seizures.

**Elkins v. United States*, 364 U.S. 206 (1960)

**Mapp v. Ohio*, 367 U.S. 643 (1961)

Wolf v. Colorado, 338 U.S. 25 (1949)

West Virginia State Bd. v. Barnette, 319 U.S. 624 (1943)

**Camara v. Municipal Court*, 387 U.S. 523 (1967)

**Tinker v. Des Moines Independent School District*, 393 U.S. 503 (1969)

**Goss v. Lopez*, 419 U.S. 565 (1975)

**Terry v. Ohio*, 392 U.S. 1 (1968)

United States v. Ross, 102 S.Ct. 2157 (1982)

Ingram v. Wright, 97 S.Ct. 1401 (1977)

Brown v. Board of Education, 347 U.S. 483 (1954)

**Carroll v. United States*, 267 U.S. 133 (1925)

Illinois v. Gates, 102 S.Ct. 997 (1982)

Warden v. Hayden, 387 U.S. 294 (1967)

United States v. Place, 103 S.Ct. 2637 (1983)

Chamber v. Maroney, 90 S.Ct. 1975 (1970)

**Hudson v. Palmer*, 104 S.Ct. 3194 (1984)

**New Jersey v. T.L.O.*, 105 S.Ct. 733 (1985)

*most relevant cases; ask a lawyer to help you locate these cases.

Teaching points

- Place thinkers and workers on each team.
- Make sure the point of contention is clear.
- Go over the judge's role, grade them.
- Make sure team works from outline.
- Teacher should have a variety of topics ready to choose from and access to materials.
- Letter writing should be done as soon as possible to allow time for reply.
- Teacher will have to walk them through some of the readings, which can be difficult.

Optional Activity

To get the creative juices flowing, have each group make a 3-5 minute video tape on its topic to create interest.

Example Issue: Is The Fetus Human or Not?

Scene Two girls are talking. One says,"I am pregnant and I am going to have an abortion." The other girl tries to talk her out of it. They are emotional. They get angry with each other and express the time-worn views. The pregnant girl gets into her car and is about to drive away when she is hit by two 18-year-olds who have been drinking. She is injured and her fetus is killed. She is very upset and demands that the boys be tried for manslaughter.

Activity

A series of statements are made to get the class to think. Should the boys be tried for manslaughter? Does the drinking make a difference? Why is it legal to kill the child in one manner and a crime in another manner? Should abortion be legal?

This video tape would be shown before the presentation.

Constitution

I Pledge Allegiance to the Wall

Thomas Murray
High School Teacher
Pittsfield, Massachusetts

Audience

Junior high and high school students

Unit Length

Ten to fifteen school days

Purpose

One has to know and believe our cultural values before effective citizenship or law-related education can be implemented. Through a study of what constitutes the American Dream, one should begin to understand the role of law in society. Thus the main purpose of the unit is to identify what is law, what ought to be law, and how one can work towards a better system of laws.

Materials and Resources

In order to teach this activity you will need blank audio cassettes and a cassette/record recorder and player. Five copies each of both Working and American Dreams by Studs Turkel, Class by Paul Fussell, The Third Wave by Alvin Toffler, and various anthologies of social commentary by Garry Trudeau and Berke Breathed. The use of contemporary films is an excellent resource that should be encouraged for the older students. Films such as"Lost In America" and"Serial", although rated R, really seem to hit home with the media generation.

Procedure

What is the American Dream and how does it relate to the American legal system? Have the class brainwrite and brainstorm those dominant characteristics which constitute the Dream in their eyes. They should be encouraged to include symbols and underlying values in their findings. First break into two groups and brainwrite concerning the concept of the American Dream. Present ideas to the entire group. Go from there to a general brainstorm getting input from everyone. As teacher/facilitator make no judgments either verbal or non-verbal. List as many as possible on the board.

Individual Written Exercise

On paper the students are to decide the relative strength /value they assign to each of the factors presented. They should feel free to add things that they, as individuals, deem important.

Some General Characteristics:

Motherhood, three cars (the times, they are a changing), baseball, the girl next door, money, hot dogs, apple pie, freedom, right to arm bears, nice home or homes, security, the flag, bootstrap philosophy. The list will grow upward and outward according to each group.

Pose the Questions

- Is the American Dream and our system a goal we
  (a) can attain (b) want to attain (c) can accept (d) can change?
- Who is included/excluded?
- Is it consistent for all groups?
- Has it been consistent over time?

Activity

In order to answer the questions we will step out of a classroom textbook and use a variety of outside sources. These sources include a mix of contemporary (in this case Top Forty) music, and selections from the works of Studs Turkel, Paul Fussell, Alvin Toffler, Garry Trudeau, and Berke Breathed. In addition, one can select a contemporary film that concerns itself with laws and values in America.

Tunes

Direct the students to check the attitude of popular music towards America. They are to find songs that say something about the Dream. They must obtain a copy of the song, write it down and analyze the lyrics. In addition, they are to draw their own conclusions. Many high school students look upon this as a personal part of their lives and really object to sharing their ideas with their peers. Thus one should poll the class before demanding a class presentation. However, junior high students seem to have no objection and even demand a performance.

What follows is the process that works quite well with those secondary students who felt comfortable with the peer presentation model.

The students must hand in a copy of the lyrics for replication before their presentation. It is vital that their peers see the lyrics in front of them, as it is not always possible to understand the words sung on the radio. This entire section constitutes 50% of the unit grade. The student will present a cassette tape of the song during class and lead a discussion as to the message found therein. They may not always be in agreement, but it should lead to some really interesting discussion. The teacher should help facilitate the early presentations or some inaccurate comparative evaluations may occur. The presentation and daily discussion is worth 20% of the unit grade.

Using an Example

Some might be confused as to what is really expected of them, therefore, it would help to present a tune for general brainstorming. Hand out copies of the lyrics and play the song. Draw out the message of the song and ask for opinions. It is suggested that you purposely choose an old tune so as not to steal the fire from any student (Hey ? that was the song I wanted to use!)

Ideas for Songs

The nature of the class may require that you need to give more direction to a few individuals. What is wrong with bringing some people to the well? It is up to them to drink. Suggested songs could include,"Allentown", "Jack and Diane", "Authority Song", "Born in the U.S.A.", "We Don't Need Another Hero", "Material Girl", "Glory

Days", "I Saw it on T.V.", "Say It Isn't True", "V.O.A.", "Moving Out (Anthony's Song)", "Sisters Are Doin' It For Themselves", "Yo Brother", "High Times", "Sex As A Weapon", "Rain On The Scarecrow", "For America", or"Lives In Balance".

Comment

Checking out only one form of contemporary songs could lead to premature death or total complacency. People need to know that there exists a varied counterbalance of music. Exposure to contemporary popular music forms less familiar to them, such as patriotic, country and western, musicals, and gospel not only fills the void, but allows for this activity to be used successfully in any region of the country. Allow the student to go with what is popular in the area. The teacher blends in the proper counterbalance.

Activity

The students, in addition to reporting on their songs, must read a section from one of the four books of the unit each night. Thus at the end of the week they will have read specific selections from all the related books, and must demonstrate this background on their final paper. The final paper addresses the questions posed and shows a working knowledge of the material presented during the unit. The paper should be two to four pages in length and it constitutes 30% of the grade for the unit. A student may substitute a contemporary film about American life for one of the book selections in this selection.

Evaluation

This is done both subjectively and objectively from day one of the unit. Does the student understand the role of laws in our society? Does the student think they are all just? Does the student know how change can be effected? The relative value of each section is as follows: song and analysis (50%), presentation and daily discussion (20%), final paper (30%). Note that the final paper consists of an open book examination wherein the students answer, using evidence from their studies, the following questions:

- Is the American Dream, including its system of laws, a goal we

  (a) can attain (b) want to attain (c) can accept (d) can change?
- Who is included/excluded from the system?
- Is the system consistent for all groups?
- Has the System and the Dream been consistent during American history?
- Evaluate the unit that you have just worked on for the past two weeks.

Follow-up

Supplementary follow-up for students: What are the messages in movies, books, television, art, advertising, and so on? Course continuation could include an in-depth study of the related materials used in the course or found in the unit bibliography. It is easy to see that if one fully used all the sources listed, it would take a semester to adequately cover all the material.

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Constitution

Henry the Second and Our Constitution: How Are the Two Related?

Mert Martens
High School Teacher
Ponca City, Oklahoma

Audience

High school students — juniors and seniors enrolled in government, law, English history, comparative government, or world history; in my particular case, senior students in government.

Rationale

Nearly all of us, of whatever age, have an immediate relationship in one way or another with government and law. Because of this, we should be aware of the origins of our system of common law. We can see the basis of our legal system in the principle of due process, and we can thank the ghosts of Henry II and his clerks for that gift.

It is not unreasonable to trace certain of our most fundamental constitutional guarantees to the time of Henry's assizes: the First Amendment (the right to petition the government for a redress of grievances, may be found in the assize of *novel disseisin*, we can also trace the seed, however small, of the First Amendment's non-establishment clause to the Constitutions of Clarendon); the Second Amendment (the right of the people to keep and bear arms, whose origin may lie in the Assize of Arms of 1181); the Third Amendment (the quartering of troops without the consent of the owner is, after all, a matter of dispossession, the remedy for which was to be found in *novel disseisin*). Somewhere hidden behind the Fourth, Fifth, Sixth, and Fourteenth Amendments lie *novel disseisin*, the *grand* assize, the assize of Clarendon, and even Henry's insistence early in his reign that anyone accused of wrongdoing in a church court could not be tried on the basis of unsworn private accusations; but was to be allowed to face his accuser, whose charges were to be sworn to, or to hear accusation from a jury of twelve men of the community summoned by the sheriff.

Time to Complete Procedure At least four weeks.

Procedure

To give students the knowledge and appreciation of the contributions of Henry II's legal reforms to our Constitution, the students are given the assignment of proving a simple thesis statement, such as: The reforms of King Henry II of England contributed in a substantial way to our American Constitution. Students should prove this thesis by finding as many primary as well as secondary sources in a public or university library to which they have access. Students are allowed to work in teams; when the members of one team think they have enough data to justify the thesis statement, they should be asked to present the results of their research to the class in oral reports. Members of the class could debate whether one particular team has proved its case. Such a project discussion could expand to include other questions: What is the nature of historical proof? Does it differ from the proof required of the biologist? How should a researcher in history go about proving a statement? Why should a researcher use primary sources as well as secondary sources?

The students will need two weeks to complete their research; however, one team will probably come in after one or two days ready to present its case. This should be allowed, as it is an excellent learning experience and the perfect time to discuss the other questions listed above.

While the students are researching their projects, the instructor should hold lectures and discussions using the research included in this paper, as well as individual research which has been done.

After the first assignment has been completed, the instructor should describe to the class the function of the jury in the time of Henry II and the general manner in which trials were held. The changing nature of the writ should be emphasized, as well as the process of the ordeal. Then, various students should be chosen to role play a trial as it was held in the time of Henry II.

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Such principals in the drama as the sheriff, the plaintiff, the defendant, the jurors, the royal justices, and others should be role played. Before the trial is dramatized, students playing the roles should write down how they view the function of their particular character in the trial and what stand he/she will take. Videotaping of the trial would be most desirable to encourage student interest. Every student should participate in some way in the trial.

After the students have completed their research and have role played a trial, the instructor should contact a professor of law or an attorney and ask him/her to visit the classroom for a talk about some practical applications in our courts today which relate to the reforms of Henry II.

Evaluation

The evaluation is an on-going project for the instructor rather than a test at the end of the unit. Students should be told in advance that they will be evaluated on their ability to present their information in a coherent, logical way. The evaluation process may be a paper-and-pen evaluation by asking the students to write the arguments based on their research.

Materials Needed

Research notes and bibliography which are included. Students may wish to research costumes and dress for the trial as their character would be dressed. Video-taping equipment, if available.

Follow-Up

As the class continues to study government and our Constitution, they will find other eras of history which shaped our Constitution

Background Information

When Henry II came to the throne of England in 1154, he found the realm in deplorable condition. Under Stephen, England was at the mercy of the great barons, and civil war had become the normal state of things. The work of both William the Conqueror and Henry I had been brought to ruin under a weak king who neither would, nor could, maintain order. In restoring order to England, Henry had to tread carefully; he could not simply turn questions of law over to the baronial courts. But he could not at the same time invalidate all legal decisions given during Stephen's reign. Henry must have realized that restoring the rule of royal law had to be accomplished without kindling another civil war. As one authority has said, "Henry found England in a state of anarchy; he left it with deeply rooted principles of law and order."

To help him in his work of restoring law to England, Henry gathered a number of excellent advisors around him. They saw that if Henry wished to establish a workable system of law in his country, he had to lessen the power of the feudal courts of his barons. This was the most efficient way to deny his nobles any claim to semi-sovereign status. The trick was to strengthen the law without having to rely on the assent of the barons to fundamental legal changes. Henry had to make changes in the administration of the law without making changes in the substance of the law. He was careful, however, to refer often to antecedents which went back to his grandfather. Yet it was the new twists and the imagination that Henry applied to these antecedents that made him a great legal innovator. He built upon the old and sturdy custom and procedure he found about him. As one writer described him, "Henry was a restless innovator who could throw aside one experiment for another that might serve his purpose better."

At the time of Henry II's coronation, the question of ownership of land was one of the most pressing questions in the realm. The state of anarchy under Stephen had contributed in a major way to this problem, as the great barons often simply had seized land. At the same time, Henry was anxious to restrict the jurisdiction of the church in various matters, including the ownership of land. This desire became obvious with the formulation and issuance of the Constitutions of Clarendon in 1164. That the king had the legal authority to adjudicate disputes over land ownership was not questioned. As one writer has observed, "In twelfth-century England, only the king had proprietary right. All other landlords were tenants of one sort or another, holding directly or indirectly of the king. There were not, strictly speaking, property *owners* but property *holders*." So important was the question of land ownership, that in the words of one writer, "medieval common law was principally land law."

Henry II made effective use during his reign of the assize, the various definitions of which must be borne in mind. The word first carried the meaning of a court or council session. Then, it came to mean an enactment made at such a session. Later, the term assize came to signify an inquisition of twelve men. One authority maintains the term assize was used to cover "the entire process of inquest as ordered by the king for a particular situation." The same writer points out that the assize was not a feudal institution at all. Henry found the process of great use, however, since it went far to undermine the authority of the feudal courts of his barons. The assizes "enlarged the scope of royal jurisdiction and struck directly at the basic feudal conception of a single immutable law."

The first of the four petty assizes, as they are called, struck not at barons, however, but at bishops. The Constitutions of Clarendon, formulated and issued in 1164, had as their general purpose to show "where the lines were to be drawn between Church and state jurisdictions." Henry's famous quarrel with Thomas Becket grew out of the Constitutions. One of the provisions of the Constitutions gave royal courts "sole jurisdiction over questions concerning the specific tenure by which the Church held certain lands."

Henry had chosen the assize *utrum* as his weapon with which to curtail church jurisdiction over land. The church had traditionally claimed that land held by frankalmoign was land over which it could legally hold jurisdiction. Land held by frankalmoign amounts to an ecclesiastical tenure by which "a monastery or other ecclesiastical corporation holds property under the obligation of saying prayers for the souls of the donor and his family." The question was not whether the church had such a right, but whether land it claimed by frankalmoign had actually been bestowed in such a way. Assize *utrum* charged the sheriff of a county to swear in a jury of twelve lawful men who would say whether (*utrum*) the land in question was held in frankalmoign or in some lay tenure.

It is well to remember that Henry made abundant use of two major instruments to establish the authority of the various assizes created during his reign?the writ and the jury?though their use did not originate with him. The writ was simply a "written royal order to someone to do something." This instrument ordered the local lord or sheriff to see that right was done in any legal dispute. Under Henry II, the writ was sold by the royal power directly to the plaintiff in a case, so that he could bring an action for right. Thus, disputes over land were carried into the royal courts.

The jury was empaneled in royal courts by a sheriff in land disputes of Henry's time not to give judgment but to give the facts as its members knew them concerning various questions. They were neither doomsmen nor compurgators, but recognitors. Various actions or cases were heard and decided by Henry's itinerant justices, who traveled from one end of the realm to the other, dispensing justice in the name of the king.

Henry and his advisors realized that the many questions concerning land possession engendered by the civil war under Stephen could not hang indefinitely. As a result, between 1166 and 1176 the assize of *novel disseisin* was established. The principle of this assize was that "no freeman could be disseised (dispossessed) of his land unjustly and without judgment." Any freeman who thought he had been so disseised could purchase a writ from the king asking that his complaint be heard by the royal justices on circuit. When the justices arrived, the sheriff was charged with summoning a jury of lawful men, who, under oath, were ordered to give the facts in the case. These men were to answer the question whether the plaintiff had been dispossessed of his land unjustly and without judgment. If they so testified, his property was restored to him and the defendant was often ordered to pay the king a fine. The assize of *novel disseisin* was not concerned with proprietary right, but only with possession. The question of proprietary right was to be covered later by the so-called grand assize of Henry.

The significance of *novel disseisin* was that it guaranteed to the individual who had been dispossessed of land without judgment that the king would protect his rights, and this guarantee in itself gave the small holder some independence from his more powerful lord. Long after the makers of this assize were dead, the fundamental principle of *novel disseisin* moved into the American Constitution.

A third device employed by Henry II to protect possession of land was the assize of *mort d'ancestor*, which was perhaps the creation of the Council of Northampton in 1176. Often when a man died in possession of land, his lord would seize it by force without regard to the rights of a legal heir. This assize provided that upon issuance of the necessary writ, the sheriff of a county was to empanel a jury of neighbors whose chief function was to testify whether the land in question had actually been held by the dead man at his death and whether the claimant was actually his heir. If the jury answered both questions in the affirmative, the royal justices immediately ordered the plaintiff restored to his land. This assize struck another blow at feudalism, for an heir "ceased to concern himself much about his immediate lord, in the knowledge that the king would defend his land now, and when he died, that of his heir." The more general result of this assize, one historian believes, was that "in some ways, royal courts were taking over from the lords' courts the function of determining the descent of fiefs."

The fourth of the petty assizes created by Henry was the assize of *darrein presentment*, formulated some time after 1179. This assize was created in response to a pronouncement of the Lateran Council of 1179, which stated that if a church remained vacant of a new clergyman for several months, the proper bishop should make the appointment. Assize of *darrein presentment* provided that if a church fell vacant and its advowson was disputed by two secular litigants, the sheriff of the county was to call forth a jury whose members were to be questioned under oath regarding the last individual to appoint a priest to it. The last individual had then the right to appoint a new priest. The object of this assize was to offer a quick decision so that a secular litigant could make the appointment before the bishop did. As one authority stated, "The power of nominating a clergyman to fill a vacant office in a church was treated like a property right."

Yet, the jewel in the crown of English common law was not placed until approximately 1179 when Henry II instituted the *grand* assize. This assize, unlike the assize of *novel disseisin*, had as its main concern proprietary right or land title. No one could challenge a tenant's right to the land, it declared, unless he had first obtained the king's writ. This assize also provided that no freeman should be dispossessed of his land unless the judgment against him was the result of an action in a royal court. Further, for the first time in England, the defendant in such a case did not have to do battle for his land, though if he chose to do so, the plaintiff was forced to agree to such a combat. The tenant could choose to have his case heard by a jury of twelve knights, chosen by four knights of his community. The members of this jury were under oath to testify which of the two litigants had the better right to the land.

The *grand* assize dealt a serious blow to the baronial courts, for its provisions "practically ensured that nearly all land cases would come within the jurisdiction of the royal courts." Legal scholars trace the gift of due process directly back to the *grand* assize, for it established that no man could be deprived of his land without a judgment.

It has been remarked that "by making himself the protector of the lawful possessor, great or small, the king had bound together the rights of ruler and subject." Taken as a series, the possessory assizes mark the beginning of English common law, yet without the genius and stature of Henry himself, it is doubtful whether the results of the assizes would have proven so lasting, for, as has been said, "No other prince in Europe could have enforced these stringent measures. Perhaps the final tribute to the king is the fact that by 1215 "private feudal jurisdictions were beyond rescue." Common law was safe.

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Courts

Sprinkle with SPICE
Creative Module for Using Resource Persons and Demonstrating Student — Designed Lessons

Mercedes Newsome
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Wilmington, North Carolina

This module was written to use at the end of units entitled *Corrections in the Court* or *Helpers in the Court*. It was written for ninth grade students; however, it can be used with all grade levels because resource persons give all students an opportunity for interaction with professionals in the community; permits students to feel and see what they learned; enables students to evaluate what they learned; and gives students greater responsibility in what they learned.

For each resource person you need at least two periods — one period for preparation and one to execute the plan.

In addition to presentation and use of resource persons, this module gives students the kind of intellectual discipline that will enable them to develop certain basic cognitive skills as well as affective growth.

The purposes for this module are to assist in creating different methods of using resource persons at the beginning of a unit, and to demonstrate that students can take an active part in designing and executing meaningful lesson plans.

The module provides the following (Editor's Note: Due to space constraints, the last three items are not included but are available upon request from CRADLE):

- Procedures for using resource persons
- Procedures for student involvement in preplanning and executing learning activities
- Procedure for grouping students within the class
- Illustrated material
- Procedures for evaluating
- Listing of adjectives and verbs for picture poster

Behavioral Objectives for the Three Lessons

- Demonstrate that you understand the analogy between a rock and a judge by making a list of all like characteristics.
- Prepare a list of questions to ask each of the resource persons.
- Prepare a list of action words that tell what a police officer does.
- Demonstrate that you understand your feelings by creating symbols that express how you felt about police officers before you taped the action word on the officer and after you taped the action word on the officer.
- Demonstrate that you understand the work of the judge, district attorney and police officer by role playing.
- Demonstrate your ability to perceive some of the feelings and concerns of the plaintiff and the defendant by role playing.
- Demonstrate that you can share, make decisions, compromise and organize by working in small groups and completing the assigned task.
- Demonstrate your ability to interact with the resource persons by asking questions orally and making comments when appropriate.
- Evaluate the resource person's contribution to your learning by preparing an evaluation sheet that tells what you like, what you dis-

liked and what you would change about the presentation.

- Demonstrate that you can use language arts skills effectively by writing essays and paragraphs.

- Create cartoons and symbols on how you perceive the functions of police officers, judges and district attorneys in the year 2000.

- Write a letter to another junior high student in your school system sharing information on your experience with resource persons.

Resource Person — Judge Allspice

Materials — Information on famous rocks
(Worksheet — I)
Information on grouping
(Worksheet — II)
Case for students to role play
(Worksheet — III)
A large rock

Preplanning — 5 Minutes

Motivation — The teacher will place a large rock on a table in front of the class. Next, she will ask two students to volunteer to act as class secretaries. (They will write on the board or overhead.) Then, the teacher will ask students to brainstorm and come up with a list of famous rocks (student secretaries will write on the board). After we make the list of famous rocks, students will make a list of likeness between a rock and a judge.

10 Minutes - The teacher will break the class into seven groups (Worksheet 2, grouping). Next, the teacher will pass out Worksheet I. Each group will get one famous rock with a brief description of the rock, and one likeness between the rock and a judge. Each group will be instructed to suggest other likenesses. After ten minutes the group will assemble again in a large group and share. Then, the students will select the best likenesses for each famous rock and the judge.

The students will be told that they will place the name of their rock on the board and the likenesses when the judge comes to class. The judge will make comments about their lists and may add other words.

20 Minutes - Class will brainstorm questions that they will ask the judge. Then, the students will arrange the questions in some type of order. Questions will not be assigned to the students, but they will have a pool of questions that they feel good about.

The teacher will prepare cases for mock small claims court. Groups will be given the cases on the day that the judge arrives. (You may also use cases from your books.)

Summary - Review of expectations for the next day's class.

Judge Allspice Arrives

Note: - The teacher has given the judge a brief summary of what is expected of him before he comes to class. The rock is still in front of the room and the students will be in their groups.

10 Minutes - A student will greet the judge. The only introduction by the student will be, "Class we are delighted to have the Honorable Judge______ of the ________________ Judicial District. Next, the student will say, "We have listed some likenesses of a judge. One person out of each group will list the name of its famous rock and likenesses. We would like for you to make comments about our lists and add to them if you care to."

5 Minutes - The teacher will introduce small claims court activity. Each group will send one person from its group to be the judge. These students will confer with our judge on what to look for when deciding a case. The other students in the group will decide how they are going to role play their case before the judge.

2 Minutes - The groups will role play before the class and judge. At the end of each case the judge will make comments on the mock judge's decision. (You may not finish each group but that's OK because you have to stay in your time frame.)

15 Minutes - The students will ask their questions that they prepared the day before. Students are not limited to their pool of questions.

Summary — Thanks — Assignments

Students will evaluate the class by answering the following questions: What did you like about the class? What did you dislike about the class? What would you change about the class? (See evaluation sheet, Appendix B.)

Students will do one of the following: Write a 200 word essay on "Judge Allspice Was The Flavoring We Needed," or create a cartoon, a poem or a song using the same title. (Students can create other titles.) This assignment is due the next class period. The students' work will be displayed in the class after the students have added oral explanations, if necessary, and after the work has been corrected.

"A JUDGE IS LIKE...
A ROCK?"

Worksheet I

Directions: Duplicate and give each group a different rock.

Information on Famous Rocks

Plymouth Rock is a granite boulder that may be seen at Plymouth, Massachusetts. Plymouth Rock marks the spot where the Pilgrims are believed to have first set foot when they landed at Plymouth Bay, December 21, 1620. *Likeness — determined*

Rock of Gibraltar is a limestone mass which rises 1,408 feet above the water and covers an area of about two square miles. It lies on a peninsular off the coast of Spain. Some people believe that this huge block of limestone broke away from the mainland of Europe. Gibraltar was also known to the Greeks and to other early peoples as one of the Pillars of Hercules. It is a British Crown Colony. During both World Wars it served as a strategic Allied Mediterranean base. *Likeness - strength*

Garden of the Gods is located near Colorado Springs, Colorado. The park covers an area of more than 700 acres at the eastern base of the Rocky Mountains. It is a region of huge red and white sandstone rock masses that rise in strange shapes. *Likeness — creative*

Stone Mountain is a huge, rounded mass of light gray granite, about 16 miles east of Atlanta, Georgia. It is the largest stone mountain in North America. At its highest point, 1,686 feet above sea level, it rises over 800 feet above the surrounding rolling terrain. *Likeness — authoritative*

Rock Salt comes from the sea, from mines and from wells. The Mediterranean and the Caribbean seas contain great amounts of salt; however, the Dead Sea, the Red Sea and the Great Salt Lake contain even larger amounts of salt.

Salt is found beneath the ground in almost every part of the world. Sometimes it is found near the surface or even above it. However, most salt veins lie far beneath the earth's surface.

In the United States much of the salt produced comes from salt wells. The wells work by means of water power. A salt well is drilled in much the same way that water or oil wells are drilled. Salt is essential to health, but yet it can be very destructive. *Likeness — flexible*

Rock of Ages is a song that was written by Thomas Hastings and Augustus Toplady. The verse below came from the New National Baptist Hymnal, 1978.

> "Rock of Ages cleft for me
> Let me hide myself in Thee
> Let the water and the blood
> From Thy wounded side which flowed
> Be of sin the double cure
> Save from wrath and make me pure."

Likeness — reflective

The Rock of Chickamuga — George Henry Thomas was a Union general in the Civil War. Because he held his line at the Battle of Chickamuga he became known as "The Rock of Chickamuga." Thomas fought at Chattanooga and defeated an invading Confederate army at Nashville. After the war he became a major general in the regular army. He died while commanding the Division of the Pacific. *Likeness — forceful*

Note: All information on the rocks except the song came from the *World Book Encyclopedia*, 1963.

Worksheet II

Grouping

Grouping within the class does the following:

- develops responsibility in students
- provides a forum for shy students
- frees the teacher to work where she is needed the most
- gives students an opportunity to compare thoughts
- builds trust among students
- creates good feelings about self.

Method I

A. Teacher will select group leaders. Each leader is given written explanation of what is expected of the group.

B. Then, the teacher will say to the group leaders, "Each group must have salt and pepper and each group must have Jacks and Jills."

C. Leaders will select a number from a box. (1-7, numbers will vary each time)

D. The leaders will select a classmate for his-her group at a time in numerical order rotating clockwise.

E. When all the members of the class are in a group, the teacher will select the area within the room and in the common area outside of the room for students to meet.

F. The teacher will visit each group at least once during the period.

Method II

A. Repeat "A" in Method I.

B. Leaders will come to the front of the room and beginning clockwise select a member for his-her group according to the directions given orally by the teacher.

Oral Directions

1. Pick the person with one quality that you would like to have.
2. Pick the person that you (the leader) would like to give one of your qualities.
3. Pick the person that you would like to get to know better.
4. Pick the person that you admire the most.
5. Pick the person that you think has good listening skills.
6. Pick the person that you would like to share a secret with.

C. Repeat "E" in Method I.

D. Repeat "F" in Method I.

Worksheet III

Cases

Duplicate and give each group only one case. (Each member of the group should have a copy.) Two groups will have the same case but the students will not know it until they present the cases.

Case I — Chives v Onion

Mary Chives was taking her morning walk. As she passed her neighbor's house, his dog chased her down the street. Mary Chives fell and broke her $200.00 eye glasses. She called to tell her neighbor, Mr. Onion what his dog had done. Mr. Onion said that he would only pay damages if his dog had bitten her and that she had no business running from the dog. He also stated that he did not have proof that she was wearing glasses when the dog chased her.

Chives Sues Onion

1. Does Mary have a case?

2. Who is the plaintiff and who is the defendant?

3. How would you decide the case if you were judge?

Case II — Paprika v Parsley

Sue Paprika is the neighborhood's professional babysitter. Mrs. Parsley asked Sue to sit with her two children on Friday night, February 14, 1985, from 9:00 p.m. until 2:00 a.m. Sue agreed to baby sit for $1.00 an hour until 12:00 a.m. and after 12:00 a.m. the fee will be increased to $2.00 per hour. Mrs. Parsley stated that she would have her children in bed when Sue arrives ??? Sue went to check on the children because the baby began to cry around 10:00 p.m. When she turned on the light in the room, there were six children instead of two ??? Sue demanded payment of $42.00 for babysitting the six children when Mrs. Parsley returned. Mrs. Parsley refused to pay the $42.00.

Paprika Sues Parsley

1. Does Sue have a case?

2. Who is the plaintiff and who is the defendant?

3. How would you decide if you were the judge?

Case III — Nutmeg v Cinnamon

John Nutmeg took his $65.00 pants to Nancy Cinnamon to have them altered. He told her to give him a two inch cuff and to take up two inches in the waist. Nancy did not measure John. When John returned home and tried on his pants, he discovered that his pants were too short and the waist was too small. He called Nancy, but she did not answer her telephone. John sent Nancy a letter telling her the condition of his new pants. After ten days he had not received an answer.

Nutmeg Sues Cinnamon

1. Does John have a case?

2. Who is the plaintiff and who is the defendant?

3. How would you decide the case?

Case IV — Poppyseed v Redpepper

Henry loans five model racing cars to his friend, Fred, in good condition for a week. Henry paid $4.50 for each racing car. Fred returned the cars after a week. The wheels were off of three of Henry's cars and they could not be repaired. Henry demanded full payment for the three damaged cars. Fred said that he would pay $1.00 for each damaged car because the cars were not new.

Poppyseed Sues Redpepper

1. What is the issue?

2. Who is the plaintiff and who is the defendant?

3. How would you decide the case?

Courts

Courts and Mock Trial Unit

Charles Meek
Junior High School Teacher
Portland, Oregon

Goals

The unit creates

- an awareness and appreciation of our court system
- a knowledge of court procedure and court personnel
- an understanding of legal terms and their application in the trial process.

The unit requires 15-20 days for completion

Audience

Junior high school students

Lessons

1. Introduction of unit, glossary of terms, review of judicial branch as defined and outlined in the U.S. Constitution.
2. Court system: types and levels of courts
3. Place crime or legal suits in appropriate court jurisdiction.
4. Roles and procedure of a trial
5. Develping and participating in a mock trial
6. debriefing and evaluation

Objectives

- Lessons 1, 4, 5, and 6
  Students will know terms relating to our court and trial system.
- Lessons 1-4, and 6
  Students will be able to explain court procedure.
  a. Identify type of case and court assignment
  b. How the case proceeds to trial
  c. Process in jury vs. judge trial
  d. Role and responsibility of court personnel
  e. Steps in a jury trial
- Lessons 4 and 5
  Students will demonstrate, in their mock trial assignments, an understanding of skills and responsibilities of court personnel

Materials

- See You in Court
- Courts and Trials
- Chapter 12, "Our Courts", in Civics for Citizens
- U.S. Constitution
- Diagram (chart) of court system
- Guest speakers (primarily legal professionals to assist in trial preparation)
- Audio-visual
  - Kit: Law in a Free Society — Justice V
  - Bill of Rights in Action: Due Process of Law
  - Bill of Rights in Action: Interrogation and Counsel
  - Civil Court

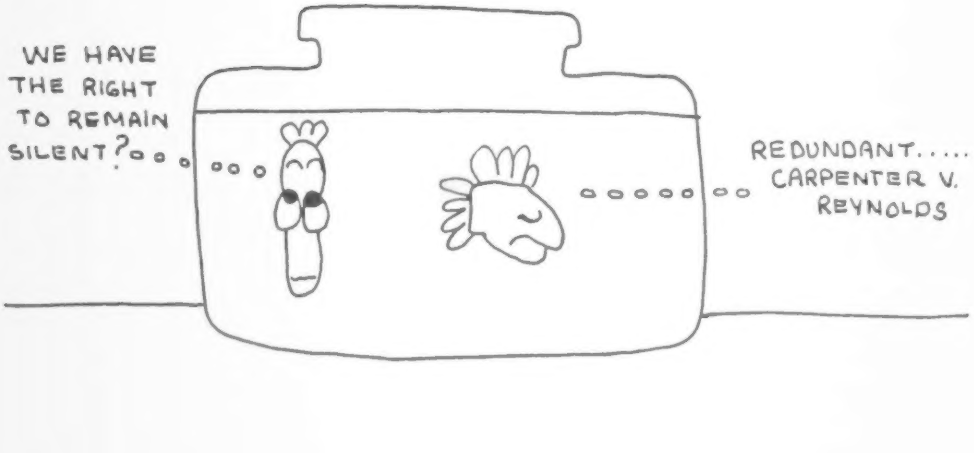
  - The Criminal Justice System
  - Understanding the Law Equal Justice for All
  - Jury and Juror: Function and Responsibility
  - Law in a Democracy: The Criminal Court
  - The Wheels of Justice
- Case study for the mock trial

Methods

1. Wallet activity (Opener)
   Take out your wallet and identify any (all) objects that relate to the U.S. Constitution, laws, or government. Compare lists, and discuss impact of these (constitution, laws, and government) on our daily lives.
2. Discussion questions to begin unit
   - What are some laws that affect your daily life and routine?
   - Are laws necessary?
   - What would our society be like without laws?
   - What is the function of the courts in determining application of law?
3. Written and oral review of glossary terms
4. Research news media for assignment of case to an appropriate court
5. Role playing (court personnel); exercises in *Courts and Trials*
6. Debriefing of Mock Trial
7. Written test on terms and court procedure (unit evaluation) Daily Assignments for Mock Trial (available from CRADLE upon request)

Extra Credit Opportunities

- Develop a dictionary of legal terms learned in this unit (illustrate where possible)
- Answer in a short essay: Are jury trials a fair way to decide a serious criminal case? Give your reasons pro or con.
- Keep a scrapbook of newspaper articles dealing with trials. Write a comment about each article.


WE HAVE THE RIGHT TO REMAIN SILENT?
REDUNDANT..... CARPENTER V. REYNOLDS

Courts

Attitudes of Jurors Toward the Justice System

Paul Kinzer
High School Teacher
Lapeer, Michigan

Audience

Eleventh and twelfth grade students

Rationale

- to demonstrate how community involvement can improve the quality of law-related education
- to develop in students a greater understanding of how juries function and what factors, conscious and unconscious, contribute to jury decision-making
- to teach students proper investigative survey techniques and the process of interpreting their results
- to aid the Lapeer County court system by providing relevant data which may be used to make necessary improvements

Time To Complete Activity

a semester-long project

Description of Activity

This activity is a semester-long project for all students enrolled in the law-related education program at Lapeer East Senior High School, Lapeer, Michigan. With the assistance of a consultant with the Michigan Department of Education a survey instrument was developed. The consultant, who is in charge of surveys for Michigan's Project Outreach, (an attempt to aid school districts in better understanding public attitudes), spent a class period at the beginning of the semester teaching students proper survey development through the use of samples used by local school districts. He subsequently edited the survey instrument.

Student groups of five were created and each assigned a general subject area that was suggested by a circuit court judge, our consultant from the Lapeer County Bar Association. The following were the classifications as developed by the judge for consideration:

- What role did the judge play in jury decision making? What actions, words,ruling on law, facial expressions, favoring of either side, non-verbal communication by the judge, and the attitude of the judge toward attorneys and witnesses contributed to the decision in any given case?
- What role did attorneys play in jury decision making? How they were dressed, their age, sex, their actions toward witnesses, were they kindly or antagonistic? Were they from Lapeer or were they from some other community? (rural vs. urban) How were jurors influenced by the attractiveness (or lack) of by the attorneys?
- What have jurors done contrary to the directions given by the judge? Jurors are not supposed to talk to other jurors about the case prior to getting the judge's instructions. Did jurors allow the possible punishment to have a bearing on their decision? Did jurors refrain from going to the geographical location described in the case?
- Did jurors truly avoid a bias or a prejudice? Examples of some possibilities are: A. poor people, welfare, unemployed, etc.; B. age, older vs. younger people; C. profession, reliability of physician or police officer, etc.,; D. lack of education, poor grammar, etc.,; E. forthright answers as opposed to vagueness;

F. attitude of a party - greed, for example in a civil case; G. race.

- What external factors influenced the jurors? Examples: newspaper stories, television news, radio, opinions of family and friends.

- How honest and frank were jurors to the attorneys and judge while they were under oath before a trial formally begins? Were jurors motivated by wanting to get on or off a jury? Example: would you give lesser or greater believability to a police officer than some other person?

- Did you consider questions which were objected to and sustained by the judge? Did you supply your own answers to such questions? Example: were you ever fired from employment for theft?

Class time was used to allow groups to develop questions in their assigned areas. The results were compiled and edited by our consultants. With the aid of central administration, the survey as submitted was reduced in size. Enough copies made for 618 jurors, the number of people who have sat on Lapeer County juries since January of 1984. Our survey consultant informed us of the number we had to have returned in order to have valid results. A contribution from the bar association was used to help pay for the postage needed to mail the survey. The list of jurors, with their addresses, was supplied to us by the Lapeer County Circuit Court. Students spent computer time after school typing labels. A stamped addressed envelope was included. The surveys were mailed the day before Easter vacation. By mid-April, 254 responses had been returned and were tabulated.

The Survey Analysis Program (Analysis) was written for use in the Jury Survey project carried out by the 1986 Courts class. It was written by a student in the class, using an IBM compatible computer, MS-DOS version 2.11, and Turbo Pascal version 3.0. Analysis will run on any IBM, PC, AT, XT, or compatible computer with at least 128k memory and any standard monochrome, color/graphics, or black and white monitor. One floppy disk drive is required.

Evaluation

Members of the Lapeer County Bar Association attended a class meeting at Lapeer East High School to hear the presentation of each group. Groups reviewed the tabulations, interpreted the data, and summarized what students believe were the implications which could be drawn from the results for the justice system in Lapeer County. Students were excused from school for one day to attend a trial in district court and serve on a shadow (mock) jury.

Materials Used

duplication of surveys (printing)

envelopes

postage

The sum total cost for this activity was about $300.

Follow Up

We plan to meet again next year with the local bar association to see if the results of the survey served a useful purpose.

Jury Survey Questions

1. Which age category applies to you?
   18 — 25 yrs.
   26 — 35 yrs.
   36 — 45 yrs.
   46 — 55 yrs.
   56 or older

2. What sex are you?
   Male
   Female

3. What city or township do you live in?
   Please write in: ____________________

4. What is your occupation?
   Please write in:____________________

5. What is your total family annual income?
   $8 - $5,000
   $5,001 - $15,000
   $15,001 - $25,000
   $25,001 - $35,000
   $35,001 - $45,000
   $45,001 or over

6. Did your jury decide a civil or a criminal case?
   Civil
   Criminal

7. Did the judge's reaction toward any witness indicate to you the judge's attitude toward that witness?
   Yes (Skip to #8)
   No (Skip to #9)

8. What was this reaction and, as specifically as possible, what did it tell you about the judge's attitude?

9. Did the Judge's comments or attitudes towards any witness tempt you to discredit their testimony?
   Yes
   No

10. Did the judge seem to favor the prosecution or defense in a criminal trial, the plaintiff or defendant in a civil case, or neither?
    Prosecution, Plaintiff
    Defense, Defendant
    Neither

11. Did the judge mention or express any opinions concerning the trial before the jury's decision was made?
    Yes (Skip to #12)
    No (Skip to #13)

12. What type of opinion(s) did he, or she, mention or express?

13. How were the attorneys dressed?
    Businesslike
    Casual

14. Approximately how old were the attorneys?
    30 yrs. or younger
    31 — 40 yrs.
    41 — 50 yrs.
    51 yrs. or older

15. What sex(es) were the attorneys?
    Male
    Female

16. How did the attorneys act toward the witnesses on their side?
    Kindly
    Indifferent
    Unkindly

17. How did the attorneys act toward the witnesses not on their side
    Kindly
    Indifferent
    Unkindly

18. How would you describe the attorneys in your own words?

19. Do you think that any of the factors mentioned in questions 13-18 affected your decision?
    Yes (Skip to #20)
    No (Skip to #21)

20. Which factor(s) affected your decision?
    Dress
    Age
    Sex
    Treatment of witnesses
    Other:

21. Did any actions or appearances of any witnesses influence your attitude toward them?
    Yes (Skip to #22)
    No (Skip to #23)

22. What factor(s) concerning the witnesses influenced you? (Circle all that apply.)
    Clothing
    Cleanliness
    Attitude
    Behavior
    Mental state
    Sex
    Race

23. Did you discuss the trial with other jurors prior to deliberation?
    Yes (Skip to #24)
    No (Skip to #26)

24. Did this discussion have any influence on your final decision?
    Yes (Skip to #25)
    No. (Skip to #26)

25. In what manner did this discussion influence your decision?
    Reinforced my opinion
    Changed my opinion
    Reexamined the facts

26. Did the severity of the possible punishment a defendant might receive affect your decision?
Yes
No

Note: Questions 27-38 should only be answered if you decided on a criminal case.

27. Where was the crime committed?
A residential area
A business district

28. Did you go to the place where the crime was committed?
Yes (Skip to #29)
No (Skip to #31)

29. Did you feel that this influenced your decision in any way?
Yes (Skip to #30)
No (Skip to #31)

30. In what way did it influence your decision?
Reinforced my opinion
Changed my opinion
Reexamined the facts

31. Did you see or hear about anything in the media that related to the trial that you were deciding before or during the trial?
Yes (Skip to #32)
No (Skip to #35)

32. Where did you hear this information?
Radio news
Television news
Local newspaper(s)
Other newspaper(s)

33. To what degree to you feel you were affected by the media?
Greatly affected (Skip to #34)
Somewhat affected (Skip to #34)
Not affected (Skip to #35)

34. In what way do you feel that you were affected?
Reinforced by opinion
Changed my opinion
Reexamined the facts

35. Which, if any, of the following people had opinions about the trial that they expressed to you before or while you were a juror?
Spouse
Close friend
Family member
No one (Skip to #38)

36. To what degree do you feel their opinions affected you?
Greatly affected
Somewhat affected
No affected (Skip to #38)

37. How were you affected?
Reinforced my opinion
Changed my opinion
Reexamined the facts

38. People with low incomes are more likely to commit crimes than people who are financially secure.
Agree
Disagree

39. Young people are more likely to commit crimes than older people.
Agree
Disagree

40. A member of a minority group is more likely to commit a crime than a member of the majority.
Agree
Disagree

41. A person in a professional occupation (doctor, lawyer, etc.) is generally more believable when questioned.
Agree
Disagree

42. A policeman is generally more believable when questioned.
Agree
Disagree

43. A person who didn't complete high school is more likely to commit a crime than a high school graduate.
Agree
Disagree

44. A person who speaks well and seems well educated is more believable when questioned.
Agree
Disagree

45. A person who answers questions directly and confidently is likely to be telling the truth.
Agree
Disagree

46. A person who is neat in their dress and physical appearance is more believable than one who is not neat.
Agree
Disagree

47. An immigrant is more likely to commit a crime than a native American.
Agree
Disagree
48. If a person is unemployed or on welfare, he or she is more likely to commit a crime.
Agree
Disagree

49. A juror is more likely to believe a person who is of the same sex, race, or religion.
Agree
Disagree

50. Did you identify with either the defendant or the plaintiff?
Yes (Skip to #51)
No (Skip to #52)

51. How did you identify with them?
Instructions: Circle the number corresponding to the best answer for each question.

52. In how many cases were you involved as a juror?
1 2 3 4 5 6 7 8 9 More:

53. Did you notice that any prospective jurors purposefully answered questions during the jury selection process in such a way as to ensure their selection or rejection for the jury?
Yes (Skip to #54)
No (Skip to #55)

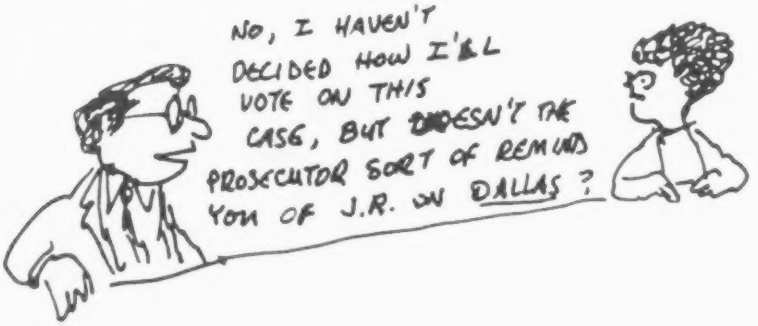
54. Did you answer questions in the manner described in question #53?
Yes
No

55. Did your jury decide in favor of the prosecution or the defense in a criminal trial, or the plaintiff or defendant in a civil case?
Prosecution, Plaintiff
Defense, Defendant

56. Did you agree with this decision?
Yes
No

57. Are there any problems that you see or changes that you would make in our jury system?

58. Are there any comments or suggestions you would like to make about this survey? We welcome your opinions concerning any aspect of this questionnaire or our project.


NO, I HAVEN'T DECIDED HOW I'LL VOTE ON THIS CASE, BUT DOESN'T THE PROSECUTOR SORT OF REMIND YOU OF J.R. ON DALLAS?

Courts

Many Are Called; Few Are Chosen: A Jury Selection Simulation

Bernard Flashberg
High School Teacher
Cranford, New Jersey

Audience

Tenth through twelfth grade students

Purpose

There are a very few opportunities for the average individual to actively participate in the workings of their government. Voting, military service, and jury duty are the most common. The purpose of this activity is to clarify the need for citizen participation on trial juries, as mandated by the sixth Amendment to the Constitution.

As with many situations, jury duty has been demeaned by gossip and misinformation. Many people dread serving jury duty. Some even go to the point of sacrificing their right to vote for fear of having their name detected by a computer scanning the voter lists for future jurors. While far from being a perfect situation (and this simulation will bring up negative as well as positive virtues), jury duty is more likely to be appreciated by those who have been part of its workings. In the words of Sir William Blackstone, the eminent 18th century English legal scholar, the trial by jury is "...the grand bulwark of our liberties...the most transcendant privilege which any subject can enjoy or wish for."

Thus, this activity hopes to familiarize students with the system and their role in its development. However, there are many educational goals which may be realized through this activity. Students must satisfactorily exhibit the following skills: reading, writing, listening, speaking, analysis, and role play. Statutes, the Constitution, and facts must be read in an accurate manner. Effective questions must be written by lawyers and responded to in an appropriate fashion by prospective jurors. The judge and the lawyers must also develop listening skills as they attempt to choose a valid jury. Observers must pay attention to these responses as they judge the fairness of the procedure. Students will speak to their peers in a manner that attempts to be convincing. After considering the information presented, lawyers, observers, and the judge must analyze these statements to determine who should remain on the jury.

The jury selection simulation should provide students with familiarity about one of our most important democratic institutions. In addition, students will be able to test their abilities and skills in an enjoyable atmosphere.

Materials and Resources

In addition to the common materials (blackboard, xerox, etc.), the following can be utilized: copies of your state's jury duty laws, jury duty forms, and the juror's oath; copies of the case that will be used for the simulation; name plates (can be made out of construction paper) for the judge and lawyers; numbers for each juror's seat; copies of your state's voir dire procedure.

Human resources should also be utilized. Those who have served on juries can be invited to the class to speak about their experiences, as can lawyers and judges who can lend their professional expertise. The government official who is responsible for having citizens report for jury duty will also be a good resource for his/her expertise and as a provider of relevant forms.

Procedure

1. Devote some time to a discussion of the concept, history, and importance of jury duty. This might be a good opportunity to do some comparative study of other countries and their legal system.

2. The voir dire's rationale and procedure should be explained. As each state has its

own peculiar style, consultation with lawyers or judges would be advantageous.

3. Assign roles, or ask for volunteers for the simulation. The following numbers are merely suggestions, and your class size is of importance in determining the final numbers. Roles include: 1 judge; 2-3 lawyers per side; 6-12 potential jurors (any more jurors might tend to make the exercise a tedious one); everybody else will be observers.

4. Prepare a simple case (example follows) and distribute a copy to all participants, except for the potential jurors.

   The case should include the following: a simple fact pattern, the defendant's background, sample questions for potential jurors, explanations of the peremptory challenge and challenge for cause.

5. Prepare roles for students who will portray the individual jurors. Provide students with a background that they should try to portray when answering the questions of lawyers and the judge. Some categories might include: age, sex, race, occupation, previous jury experience, views on the crime or civil dispute in question, etc.

6. Preparation will require that each team of lawyers discuss their questioning strategy in hopes of seating a "favorable" jury. The judge should understand the challenge procedures and conceptualize what types of challenges will be upheld. Potential jurors should try to assume as much of their character as possible, trying to presume questions which they might be asked. Observers should read the case and project the qualities of a "good" juror for this particular case, and all trials in general.

7. The actual voir dire might be set up along the following pattern: Set up the room to best simulate a courtroom; provide nameplates for each character; the plaintiff begins questioning juror #1, followed by the defense's questions and any challenges to juror #1; the judge (who may also question the juror) rules on any challenge; juror #2 is questioned first by the defense, then the plaintiff, with the same procedure as used for juror #1 (alternate which side starts the questioning of each juror); allow any unused peremptory challenges (place a limit of 2-3 per side) to be utilized after all jurors have been questioned.

8. A debriefing session should follow the conclusion of the simulation. Students can reflect on their roles, the strategy they employed, and their feelings about the jury system.

Time

This activity, including speakers and related assignments,should take about 5-7 class periods. If only the simulation is used, that should take 3-4 periods.

Evaluation

The success of this activity can be measured by an increase in student perception of, and appreciation of, the jury system. This can be measured through class discussion, quizzes, and reading assignments.

VOIR DIRE?
WE'RE NOT UNDER ARREST, THOUGH.

Follow-up

Some follow-up activities could include: reading assignments about juries (history, selection, etc.); field trip to the court, specifically to see a jury selected; debates on controversial topics such as eliminating the peremptory challenge or restricting the questioning process to the judge; analyzing cartoons which have juries as their themes.

Sample Case

Facts: Louis Goldberg and Angelo Lombardo have been indicted for a violation of New Jersey's laws on gambling. Their store, "Ange and Lou's Confectionary," was raided by the police on the basis of a search warrant issued by a superior court judge. The probable cause for the search warrant was based on some undercover investigations by the police. This was the second time that the defendants have been arrested on a similar charge. The previous arrest resulted in a verdict of guilty.

Accused Background

	L.G.	A.L.
Age:	53	46
Birthplace:	Newark	Italy
Schooling:	11th grade	High School
Marital Status:	Divorced	Married
Children:	3	4
Prior Record:	1 arrest? 1 conviction	3 arrests, 1 conviction

Sample Questions

1. What type of work do you do?
2. Have you any jury experience?
3. Do you have any prior information or opinion about this case?
4. Would you tend to place greater emphasis on the testimony of a police officer, as opposed to an ordinary citizen?
5. Have you been to Atlantic City? Often?

Statute: New Jersey Statute 2A:112-2: "Any person who has or keeps in his place of business, or other premises, any slot machine...is guilty of a misdemeanor."

EXCUSE ME.... IS THIS WHERE I WEIGH IN?

Courts

What If There Were No Supreme Court? Understanding the Function of the Court

William Buckler
High School Teacher
South Point, Ohio

Audience

Eleventh and twelfth grade students

Purpose

The purpose of the following activity is to help high school students understand the function of the Supreme Court. When teaching American History or American Government, students need to know the function of the three branches of the government; executive, legislative and judicial. Students have trouble understanding the function of the judicial branch at the federal level, the Supreme Court.

Materials and Resources

The materials needed for this activity are minimal. All that is needed are copies of American History or American Government text books. These books should be on the high school level and should have copies of the U.S. Constitution in them.

Procedure

Activity 1. The Supreme Court has a number of functions, one being a court of appeals. To have students understand this function use a typical high school as an example. One way to do this is to hypothetically deny students the right to participate in extracurricular activities because of rule violations. Demonstrate how they could appeal their case to the following people, each time going to a higher level; assistant principal, principal, superintendent and school board. Show how these people are not biased to the case and that the student, if not satisfied with the decision of the lower authority, may take the case to a higher authority. The school board would act as the Supreme Court and the case could go no further than there. The school board could in fact decide not to hear the case, just as the Supreme Court has this right. Explain how the student couldn't go any higher than the school board and must be satisfied by its decision.

If it is not possible to use the actual individuals mentioned in the activity, you may talk the students through the activity or make a diagram on the black board.

Activity 2. The Supreme Court also serves the function of interpreting the U.S. Constitution. Have the students read a section of the U.S. Constitution and then have them write what they think the section means. The students will find out that there are many different interpretations to the same section. Remind the students that the U.S. Constitution was written 200 years ago by men having a different perspective than people do today. Sometimes the U.S. Constitution has to be interpreted in a way to keep up with the changes in society.

If there were no Supreme Court there would be no official body to make the final decision as to what the U.S. Constitution means. People could say that it means anything they wanted.

Activity 3. How do Supreme Court decisions affect our lives? Take a Supreme Court case, pick one that the students are familiar with, for example, Brown versus Board of Education. Have the students research what the times were like before the decision was made, what the times were like when the decision was made, and what the result of the decision is today.

The students should find out as much about the case as possible. If the students wanted they could even go into the make-up of the court at the time of the decision, the politics of the President, and so on.

In showing how our country was changed by the decision, try and explain what the country would be like today if the decisions were not made. In other words, "*What if there were no Supreme Court?*" The teacher should point out that there have been times when a decision has been overturned by another Supreme Court made up of different people living in different times.

Time

It will take five to six days to complete the three activities and make an evaluation of the students' understanding. Time should be set aside for explaining the project and for student research.

Follow-up

A trip to the supreme court in the state where the students live might be possible as well as a trip to the U.S. Supreme Court. Have the students write an essay on what they think the function of the Supreme Court is, have them give examples to back up their ideas.

Courts

One More for the Road: An Interdisciplinary Mock Trial

Beverly Pike
High School Teacher
Auburn, Washington

Audience

Tenth through twelfth grades

Departments Involved

- Arts
- Business Education
- Drama and Production
- English
- Home Economics
- Industrial Arts
- Physical Education
- Science
- Social Studies

Purpose

To involve the entire high school curriculum in the production of a simulated mock trial. Participants in each subject area will develop a basic understanding of the legal mechanism through which society resolves many of its disputes.

Outcome

The school simulated mock trial provides the students in each participating subject area with the opportunity to share their knowledge and experience with their peers. They develop the skills of critical thinking, useful questioning, oral and written advocacy skills, as well as empathy for their peer and resource persons. The practical knowledge about courts and trials enhances their civic responsibility and legal literacy.

Department Functions

Each participating teacher and class is provided with the necessary basic legal literacy materials. The specific role each class performs is clearly understood by the instructor and class. The following brief explanation of class functions by department gives an overview of functions.

First and Second Week

Arts

This department functions as the illustration department.

Business Education

This department functions as the guide in the activity as the high school law class is within this department. It also serves as the recording department.

Drama and Production

This department directs and coaches the participants in the trial.

English

This department prepares the briefs that are used by the mock trial attorneys in the preparation of the case. The journalism class covers the stories on the case.

Home Economics

This department prepares the lunches that are given to the community resource persons and participants. The consumer class is involved in the law instructional unit.

Industrial Arts

This department handles publicity and printing.

Physical Education

This department coaches participants in physical body performance.

Science

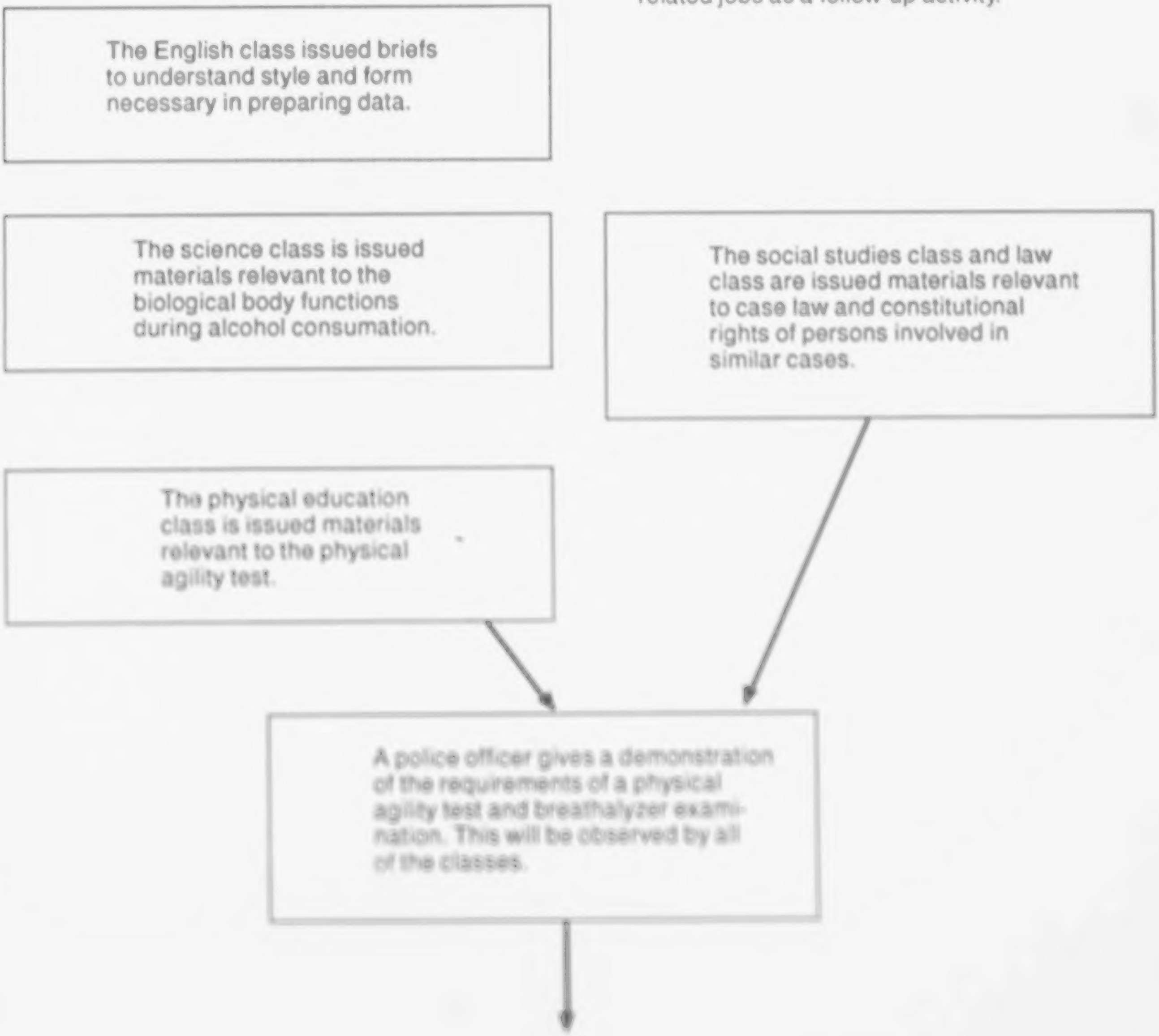
This department provides data from experiments performed to measure body functions and behavior (i.e. — chemical results of breathalyzer, burn-off rate etc.).

Social Studies

This department serves as the constitutional rights and case law authority.

Career Center

The center provides career information on law-related jobs as a follow-up activity.



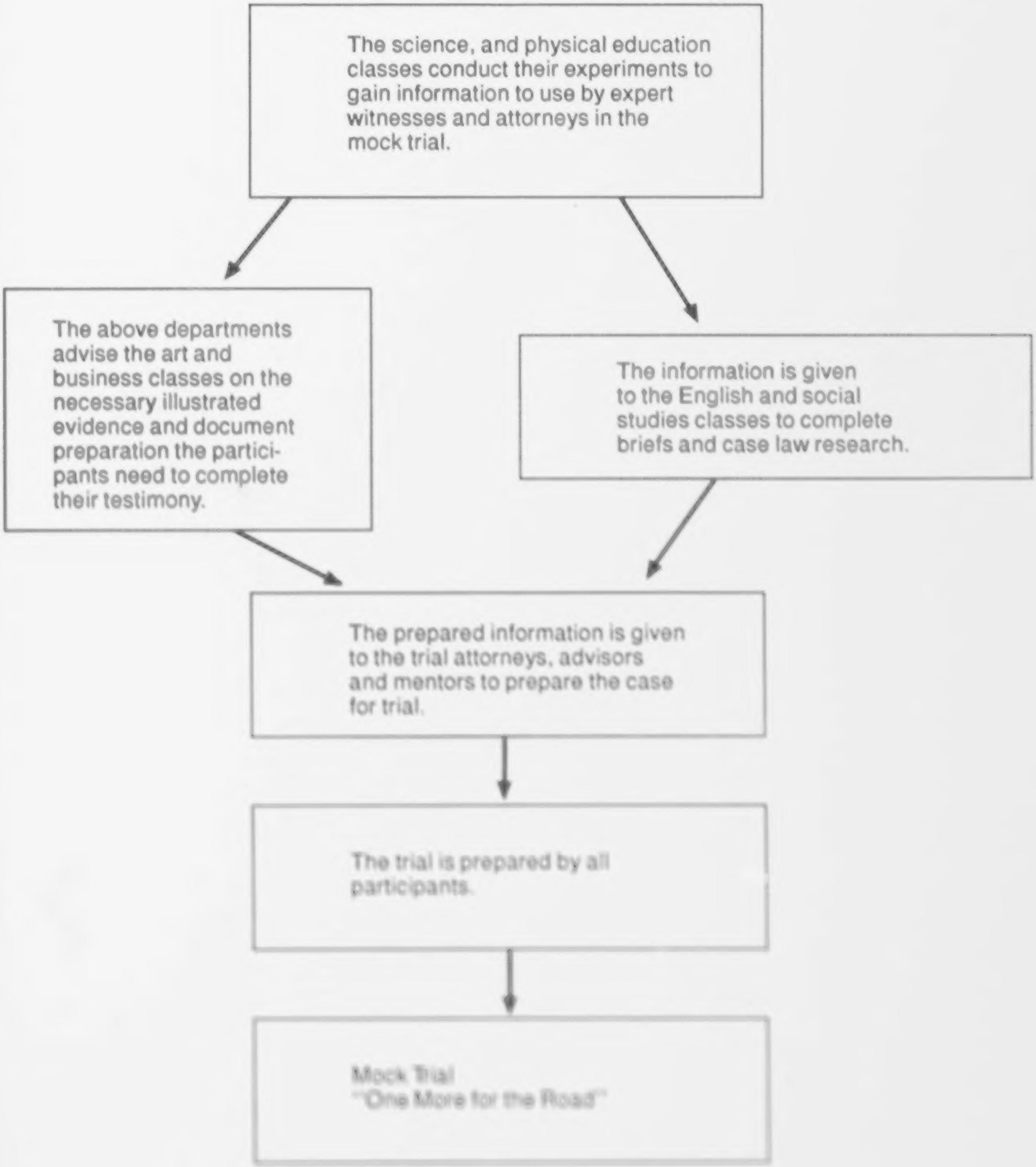
The English class issued briefs to understand style and form necessary in preparing data.

The science class is issued materials relevant to the biological body functions during alcohol consumation.

The social studies class and law class are issued materials relevant to case law and constitutional rights of persons involved in similar cases.

The physical education class is issued materials relevant to the physical agility test.

A police officer gives a demonstration of the requirements of a physical agility test and breathalyzer examination. This will be observed by all of the classes.



The science, and physical education classes conduct their experiments to gain information to use by expert witnesses and attorneys in the mock trial.

The above departments advise the art and business classes on the necessary illustrated evidence and document preparation the participants need to complete their testimony.

The information is given to the English and social studies classes to complete briefs and case law research.

The prepared information is given to the trial attorneys, advisors and mentors to prepare the case for trial.

The trial is prepared by all participants.

Mock Trial
"One More for the Road"

Third Week

The *Arts* class prepares scene sketches and illustrations of testing results as instructed by the *Science* and *Math* classes. The *Business Education* classes are given information for preparation of legal documents from depositions of witnesses taken by shorthand students under the direction of attorneys and mentors. The *Home Economics* class is given information to facilitate preparation of luncheon. The *Drama* class is given lessons on the proper speech and body language useful for participants. The *English* class prepares the briefs and submits to attorneys for evaluation. Students will utilize information provided by social studes and law classes. The *Industrial Arts* class is given information on the participants to use in producing the programs and advertising materials. The *Journalism* class writes articles for newspaper.

Time Required

Arts: 3 or 4 class periods; Business Education: 3 or 4 class periods; Drama: 2 class periods; English: 3 class periods; Home Economics: 2 class periods; Industrial Arts: 3 or 4 class periods; Journalism: 3 class periods.

Fourth Week

Classes involved: All departments — participants

Attorneys, advisors, and mentors meet with participants to evaluate all materials and find any loopholes and correct.

Time required:

Approximately 5 hours

Fifth Week

Practice runs on mock triaind all preparations by all classes completed. Dails for productions completed.

Time required:

Approximately 6 hours.

Sixth Week

Mock Trial Performance

Time required:

Preparation of details: approximately 3 hours; Performance: 3 hours.

Participants In Mock Trial

Each side will involve the following number of students in these assigned tasks and roles:

Trial attorneys	- 2
Closing arguments	- 1
Briefs	- 3
Jury	- 14
Exhibits, Demonstrations	- 3
Draft jury instructions	- 2
Lay witnesses	- 2
Expert witnesses	- 2
Driver witnesses	- 2

Other Tasks

Legal/speech	- 8
Legal/speech	- 2
English Composition	- 6
Economics, Physical Education	- 14
Arts, Science	- 6
Composition	- 4
Social Studies	- 4
Science	- 2

Students who want to participate submit applications to the law class. The following samples were used in the Auburn High School mock trial.

Application for Mock Trial

I have read the ______________________________

case and I wish to apply for the position of ________.

______________________________________.

My present G.P.A.is ____________________.

I feel I can perform the role of ______________

because: (1 — 2 paragraphs)

If chosen I will be prepared to devote approximately 10-15 hours after school to properly complete this trial.

(Name) ______________________________

(Date) ______________________________

Application for Mock Trial

Juror

I wish to apply for the position of juror for the Mock Trial that will be performed in the P.A.C. on May 7, 1986.

I feel I can perform this role because: (a paragraph of stated reasons.)

If chosen I will be prepared to meet with the judge and attorneys when necessary (2-3 hours).

(Name) ______________________________

(Date) ______________________________

Editor's Note: Mock trial fact sheets are available upon request from CRADLE.

GEE, HE IS REALLY A GOOD ACTOR..

♪ ONE MORE FOR THE ROAD.. ♪

Courts

The Court: Friend or Foe to the Blacks?

William Eau Claire
High School Teacher
Green Bay, Wisconsin

Purpose

Numerous American history textbooks tend to include information pertaining to the American civil rights movement as if each development were an isolated event. A unit approach to the teaching of the American civil rights movement would make the study more meaningful for students by placing emphasis on the United States Supreme Court's decisions pertaining to segregation in society and education. The cases used as the cornerstones for the study of the historical changes in black-white relations are, *Plessy vs. Ferguson* (164 U.S. 537, 1986); *Brown vs. The Board of Education of Topeka* (347 U.S. 483, 1954); *Regents of the University of California v. Bakke*, 438 U.S. 265, 1978). These cases are fused with historical information, such as Jim Crow laws, economic and social effects of segregation, civil rights movement and affirmative action.

This instructional approach, which takes a large time span (1865-1986) and overrides traditional textbook technique of reporting isolated facts, would emphasize the why pertaining to various decisions in terms of initial conflict, litigation and court determination.

This unit reenforces the concepts of division and separation of powers and the fourteenth and tenth Amendments.

Using the reenactment of arguments of court cases helps students to improve their speaking and listening skills. These court cases can help to enliven the class as it assumes the court's role in the history of black-white relations.

Time to Complete Procedure

The unit can be done in four weeks, using six court cases plus numerous articles and books. Teachers can regulate the time through the selection of cases and articles they want their students to investigate. With practice, a court case can be conducted in one class period. Because students need time to become acquainted with court procedures, at least three court cases are recommended: *Plessy vs. Ferguson*, *Brown vs. Board of Education*, and *California vs. Bakke*.

Objectives

Listing objectives and introducing each one to the classes helps the student to establish goals for the unit. Use these objectives often as the focal point of discussion. To give an idea of the importance of a separate in-depth unit, the students are expected:

- To use the case of *Brown vs. Board of Education* as the cornerstone of an historical investigation of segregation and integration of blacks into the mainstream.

- To interpret and evaluate several U. S. Supreme Court cases regarding segregation and discrimination, starting with *Plessy vs. Ferguson* into affirmative action cases.

- To comprehend the effects of court decisions on black/white relations, and on the political ramifications of separation and division of powers.

- To analyze affirmative action and the court's recent rulings on a few cases.

- To explore and analyze the history of black/white relations after the Civil War until the present.

- To discuss whether laws alone can change society or does public opinion first have to prepare the climate for legal progress.

- To analyze the use and limits of non-violent protest and the extent to which non-violent protest has succeeded or failed in the civil rights struggle?

- To explore the questions: Are blacks basically different from whites? Who should take the responsibility for solving problems in race relations? Is racial integration or "Black Power" the more effective response to the blacks' problems? Are blacks themselves responsible for their situations and therefore must pull themselves up?

- To compare and contrast segregation in the North with that of the South.

- To discuss the major legal issue that arose from the Little Rock case: To what extent should practices within a state — which are usually established according to local standards and customs — be challenged by the Federal government in an effort to create common standards for the whole nation?

- To explain the authority by which a federal judge decides upon a desegregation plan that leads to tremendous local turmoil?

- To question whether race should be used as a legal category to give people special treatment?

- To rate the effectiveness of court decisions as a means of implementing constitutional law.

- To find the appropriate balance among the federal, state, and local government units?

Procedure

The method of investigation begins with a historical look at Jim Crow laws just before and after the turn of the 20th century. The *Plessy vs. Ferguson* decision is evaluated as to its role in segregation. The next major topic is segregation in education. Segregation and integration are covered historically by looking at both blacks' and whites' views of integrating schools. Cases pursued by the NAACP, dealing with integration in the law schools, can be used to show how they took smaller infractions and a better chance to win. An example is *Sweatt vs. Painter* (399 U.S. 629, 1950). The cornerstone case of *Brown vs. Board of Education* in 1954 would be the main case one uses.

There are several ways that these and any other court cases can be analyzed. The first is pro se (speak for yourself), in which one third of the class is judges, a third argues the plaintiff's case, and the remaining third presents the defendant's side. Each group can argue the same case at the same time. This method gives more people direct involvement, and helps shy students who can be more effective arguing before only one judge and lawyer. The judges should be informed beforehand what parts of the Constitution pertain to their case — such as Article 10 and 14. All judges should have a divided sheet of paper to list the arguments from both sides and be given time to formulate their decision, which should include the parts of the Constitution on which it is based.

The second method of analyzing is in moot court, where two or more students argue before nine judges who render decisions as in pro se. Letting judges ask questions of the lawyers and lawyers rebut each other helps them to listen more carefully to the arguments being presented. Instead of using nine judges the teacher could have the entire class act as a jury, thus increasing students' involvement. It is easier to do pro se court first, then moot. The moot court could be held in the auditorium. Additional equipment to consider would be: microphones for lawyers and judges, nine robes from the music department, one gavel, and a video recorder.

The third type of trial which can be used is a mock trial. This is like a lower court type of trial in which some students are characters and some are the jury.

Materials

Finding instructional materials which will give background and arguments of civil rights cases can be time consuming. See local librarians early for materials that you need to order. Another source to contact is your state's law librarian.

For recent information on *Brown vs Board of Education* or affirmative action cases, the *Reader's Guide to Periodical Literature* is very useful. The 25th anniversary of the Brown case was May 17, 1979, and many magazines gave excellent up-dates on the progress of integration since 1954. One of the best articles, "Color-Blind or Color-Conscious?" was published in *The New Republic*, May 5, 1979. The author, Diane Ravitch, relates this case to modern affirmative action.

If one includes affirmative action cases in a unit about civil rights,there are several cases to choose from, including these three cases: *Regents of the University of California vs. Bakke; Kaiser Aluminum and Chemical Corporation vs. Weber*, 99 S.Ct. 22, 21, (1979); *Memphis Fire Department vs. Stohs* (104 S.Ct. 2576, 1984). These cases deal with quotas, education, employment, and seniority rights. Three excellent sources are *Preview of the United States Supreme Court Cases*, American Bar Association, 750 North Lakeshore Drive, Chicago, Illinois 60611; *The Criminal Law Reporter*, The Bureau of National Affairs, Inc., Washington, D. C., 20543; and *United States Law Week* also published by B. N. A. *The Preview* gives the issues, facts, background ad arguments on both sides but not the court's decision. This situation would be good for students to use to form their own case arguments. *The Criminal Law Reporter* has the full text of opinion.

Materials to do court cases are time consuming but not difficult to find. It is probably more difficult to find the history portion of the civil rights movement than it is to find important case material. Don't overlook your community resources such as lawyers, judges and librarians, to name a few. Contact Guidance Associates and preview "Supreme Court Decisions That Change the Nation." These are 10-fifteen minute videos or filmstrips on major cases — they are informative and well done.

Resource Materials

Preview of the United States Supreme Court Cases, Law Library, University of Wisconsin-Madison.

The United States Law Week, Library.

Great Trials in American History, Lee Arbetman and Richard Row, West Publishing Co., 1985.

Hugh Davis Graham, *Since 1954: Desegregation*, Harper and Row, 1972.

The Black Experience in America Series, American Education Publications, Xerox Corp., 1971.

Public Issue Series/Harvard Social Project, Xerox Corp., 1970.

"Affirmative Action" *Reader's Guide to Periodical Literature*.

"Supreme Court Highlights — 1978-79", (and other years), *Bill of Rights in Action*, Constitutional Rights Foundation.

Articles on the Brown Case — 1954, Twenty-five years later — 1979.

Some of the following films and film strips are useful.

"The Klan: Legacy of Hate"

"Prejudice"

"Black History: Lost, Stolen or Strayed"

"With All Deliberate Speed": (CBS documentary 25 years after the Brown Case)

"Martin Luther King"

"Search and Seizure Series: Civil Rights"

"Supreme Court Decisions that Change the Nation", Guidance

Associates, 1986. Excellent filmstrips or videos.

If you happen to purchase *Great Trials in American History: Civil War to the Present*, you might want to consider photocopying the case instead of using the book. In this way you give the students information pertaining to the trial and not the reasons for the decision. After your judges render their decision, you can hand out the Court's decision and compare the reasoning of the two.

I DON'T SUPPOSE YOU'VE HEARD OF THE BILL OF RIGHTS?

Evaluation

There are several means that can be utilized to monitor progress. Teacher-made tests can be developed to test pre- and post-knowledge on the basic concepts. Large or small group discussions centered around selective objectives work well. You can have four or five small groups each write a conclusion and report to the whole class for further analysis.

It is worthwhile to have a student keep a daily journal or diary of the class activities. The emphasis should be placed on their evaluation of each activity. Evaluations should be collected frequently to monitor progress. Reading to the class both negative and positive comments on materials used and procedures helps you to revise as you progress.

Follow Up

A week after the conclusion of this unit have the students evaluate the unit. Have them include suggestions for revisions on what to keep, change and drop. One frequent suggestion is to use more Supreme Court cases in a moot court fashion. Students feel it is an interesting and effective method to study the Constitution.

Courts

Student Participation In Courtroom Education: A Newsletter

Luella Thompson
High School Teacher
Aberdeen, South Dakota

This is a three to four week unit using ninth grade government student participation in a mock trial culminating in publishing a newspaper which will report the students efforts.

Topic Public Prosecution Published in Paper

Timeline Three to four weeks

Purpose

- To explain the duties and responsibilities of a trial judge, prosecution, defense attorney, witnesses, bailiff and jury.
- To explain the duties and responsibilities of the public media (specifically the press).
- To describe and role play court procedures.
- To use reporting and writing skills to publish a newspaper.

Resources

- School Systems Administrative personnel
- Local American Bar Association
- Newspaper reporter and cartoonist
- Parents and community
- S.P.I.C.E. mentor

Materials

Basic Criminal Mock Trial — Minnesota Center for Community Legal Education, Jennifer Bloom, Director

Text — *Civics for Americans*, Scott, Foresman & Company

Local Newspaper

READ ALL ABOUT IT!
PRINCIPAL ARRESTED
IN CLASS FOR
MAKING A SCENE!
WOW!
WHAT?
HUH?

Activities

- Students examine back issues of newspapers for court cases. Discuss terms (example: Civil, Criminal, etc...) Refer to bulletin board explaining court room terms. Discuss similarities and differences in cases.
- Refer to U.S. Constitution on what it says about trials (Bill of Rights).
- Invite a lawyer to class to explain court room

procedure, rules of evidence, hearsay, witness's duties, etc...

- A fellow teacher or principal will create a "scene" in class, then have students write description of what happened Compare and fully discuss. Pass out handouts from police department on how to describe a crime and debrief an activity.

- Invite local reporter and newspaper cartoonist to class to discuss their occupation and how it is related to the courts.

- Lawyers or law students help students prepare for simple mock trial (esp., opening and closing statements, cross-examinations, etc...)

- If possible, have judge (or retied judge) sit in on one day trial presented by students who have been coached by lawyes.

Procedure

1. Student s who act as reportes and cartoonists will be busy during the mock trial (using different points of view as a lawyer would see the case or a judge).

2. The entire class will contribut along with the reporters to the SPICE newspaper. (Student Participation in Citizenship Eucation)

   a) Letters to the Editor

   b) Advertising, etc...

3. Distribution of newspaper in community to local Bar Association, Aberdeen American News (local newspaper) business men and parents.

Skills

- Group cooperation by listening, acting and reacting to verbal and non-verbal information.

- Speaking — oral involvement with peers in democratic action.

- Critical Thinking — sifting relevant material and analyzing it for media accounts.

- Interviewing and Writing from facts and references.

- Problem Solving — identifying cause and information needed to solve conflicts.

Evaluation

- Use pre and post test on terms and what is leading question, hearsay, irrelevant, opinion, conclusion, rule of evidence, steps in trial, courtroom duties, etc...

- Debrief after trial for opinions (fair" dispute solved? etc...)

- Check list for community and class room participants on usefulness, information given, effective teaching tool, etc...

Lawmakers

Who's Who In The Law

Patricia Jarvis
Elementary School Teacher
Woonsocket, Rhode Island

Purpose

The main purpose of this activity is dual in nature. Primarily it is being developed to expose students to individuals involved in law-related professions. The second reason is to provide teachers with a law unit incorporating the use of video taping equipment.

Grade Level

All of the activities and learning experiences relating to this particular project are geared to a fourth grade class. However, the research and interview skills, writing activities, worksheets, and teacher-made games incorporated into this project can easily be adapted to a fifth and sixth grade level.

Goals

- To provide the students with the opportunity to meet law-related professionals.
- To provide the students with an understanding of the need for such professionals.
- To enable the students to identify the specific purpose and function of these professionals.
- To familiarize the students with the importance of knowing about these people.
- To help the students realize that people who have authority in certain situations also have responsibilities.
- To familiarize the students with parts of our legal system.
- To show the students how these people may affect their lives.
- To help the students identify various ways their lives are affected by laws.

Procedure

The main activity of this project is to have the fourth grade students conduct formal interviews with the different law professionals which are video taped. The interviews are conducted by a small group of students and take place in the classroom. The other students make up the audience. Enough guests should be invited in order to provide all of the children with an opportunity to do some interviewing. The taped interview should be approximately ten to fifteen minutes in length. The remaining time is spent in open classroom discussion. A guest speaker could be scheduled once per month.

Prior to the actual classroom visit letters are sent out to the different guest speakers inviting them to participate in this project. When they have accepted and a schedule is set up each speaker will receive a copy of the students' questions.

The purpose of the taping is to accumulate a number of interviews and then edit them into a single program for classroom use. The tape is the main part of a law unit to be given to the School Department and the law-related project in your state.

Time line

- The activity will take place during the entire school year.
- There should be one interview per month for approximately seven months.
- The actual interview should be between ten to fifteen minutes in length.

List of Law-Related Professionals

- an attorney
- a police officer

- a sheriff
- a state police officer
- a probation officer
- a member of the City Council
- a judge
- court clerk
- a person who has participated on a jury
- juvenile officer

Sample Questions

Interview Questions

- What is the official title of your job, if any?
- Could you please tell us how you got your position as a ______________________?
- Do you use any special equipment in your type of work? If so, please explain some of them to us.
- As a/an ______________________ what type of schooling or training did you have to receive?
- Does your profession require you to wear a uniform of some kind?
- How do you feel about your job?
- Would you choose this profession again if you had the chance?
- How does a person go about getting into a profession like yours?
- Did you have to take any type of special test to get your job?
- Was there anything special that made you decide to go into your profession?
- How does your family feel about your career?
- Does your career ever put you in any kind of danger? If so, could you please give us an example.
- What has been the most interesting case that you have worked on?
- If someone wanted to go into the same profession that you are in, what advice would you give this young person?

Special Questions for Police Officers

- Did you ever have to shoot at anyone?
- Have you ever arrested a child about our age? If so, why?
- Has there ever been a case where you were really afraid?
- Have you ever been part of a high speed chase? If so, what does it feel like?
- What are some of the different types of weapons you have used?
- Did you ever have to do something you really did not want to do in your profession?
- What is the difference between a motorcycle police officer and one who rides in a patrol car?
- How does the police car work and what are some of the things in your car which you use?
- How do you go about catching a criminal?
- After you have caught the criminal what do you do with him or her?
- Have you ever worked on a case that had a happy ending?
- Have you ever worked on a missing child case?

Special Interview Questions for Judge

- Are there any laws which a judge can enforce on his or her own?

- As a judge can you decide what takes place in your courtroom?
- Are there any laws which govern what goes on in your courtroom? If so, who made or makes these laws?
- Are there any state laws which a judge must follow?
- Are there any federal laws which a judge must follow?
- Are there cases when no jury is needed and the judge makes all of the decisions?
- Besides presiding over a courtroom, what other jobs or responsibilities does a judge have?
- Can a person lose his or her position as a judge? What would be some reasons for this?
- Who can appoint judges to the Bench?
- Is there anyone who can overrule the decisions which you make in your courtroom?
- Can a judge tell a lawyer that he is taking too much time in questioning a witness?
- In family court, when can a child have his or her own lawyer and who pays for the lawyer's services?
- Are there any particular problems in being a woman judge.
- Can a judge exclude a person from serving on a jury?
- As a family court judge is there anyone who can tell you what to do? Do you have a boss?
- Could you please explain the terms, sustained, over-ruled?
- What is meant by contempt of court and does it carry a punishment?

TELL ME, OFFICER, WHERE WERE YOU LAST NIGHT AT 10:30 ?

Special Questions for the Mayor of the City

- How does a mayor work with the members of a City Council?
- Can a mayor veto a law which the members of the City Council have passed? Please explain.
- Can the mayor of a city ask the members of the City Council to pass a law which he or she feels is necessary? How would a mayor do this?
- A mayor makes sure that the laws the City Council makes are carried out. What are some of the ways in which you can do this?
- Are there laws which tell a mayor of a city what he can do and what he cannot do? Could you give us some examples please?
- How does a mayor work with the state government?
- How does a mayor work with the federal government?
- Is there ever a time when either the state government or the federal government can tell a mayor of a city what to do?

- Are there any times when the mayor can have complete control over the governing of a city? What types of emergencies would allow him to do this?
- What are some of the legal powers held by a mayor if any?
- As a mayor, what do you feel are your most important duties to the citizens of the city?
- How can a mayor protect the citizens of his or her city?
- As mayor of the city of ____________, could you give us an idea of your typical day?
- What are some suggestions you would give to the citizens of who wish to become more involved in the city's government?

Materials and Resources

The major material needed by a teacher to do this activity is the video taping equipment.

The resources that a teacher will need in order to do a similar activity will be contact with law related professionals and the help of personnel from their media departments.

Evaluation

This type of an activity evaluates itself as it proceeds. Since it is spread out over the entire school year, revisions can be made as it proceeds. The development of the questioning skills of the students can also be monitored as the year progresses. The growth of the students' knowledge of the law can also be easily monitored. This type of an activity also lends itself to instant replay. The students and the teacher can critique the interview session simply by replaying the tape. In this way the activity has its own built in evaluation system.

Expenditures

- The coverage of postage for the correspondence between the people involved in this activity.
- The cost of the video tapes.

Lawmakers

Leadership Development

Joyce Cox
High School Teacher
Kansas City, Missouri

Introduction

Passage, interpretation, and enforcement of law is dependent on good leadership. This project is on activities that are designed to help students improve their interpersonal relation skills, and develop some leadership techniques that will help them be more effective in law-related activities.

Activity I: Parl-Pro

Purpose

To help students learn the terminology used in parliamentary procedure.

Materials and Resources

Make a bingo type card for each student with parl-pro across the top and numbers in the squares underneath. Make a numbered list of phrases, statements, and actions used in parliamentary procedure. The level of difficulty can be adjusted by the number of phrases and squares included. Make index cards with the clues such as?"What do you say when you want to change something in the motion?"

Procedure

After some discussion and reading about parliamentary procedure, give each student a parl-pro card and a list of phrases, statements, and actions; explain the rules. For the first round you let them work in teams and confer with one another. When the clue is read the student locates the response on the numbered list and then covers the number of that response on his/her parl-pro card.

Time

A round of parl-pro can be played in one class period or less.

Evaluation and Follow-up

The activity itself can be used as an evaluation tool but Activity II could be used to see if the student can put to use what he/she has learned.

Activity II: Whistle Stop

Purpose

To help students learn and practice parliamentary procedure.

Materials and Resources

A gavel and a whistle

Procedure

This activity should be used after the students have had some instruction in parliamentary procedure. Choose someone who has some experience in parliamentary procedure to be the presiding officer and give him/her the gavel. Give the students a topic to debate that can get everyone involved and have the presiding officer open the meeting. When parliamentary procedure is used correctly, blow the whistle and tell them what they are doing right. When it is not used correctly, blow the whistle, and explain how that procedure should be used. Follow the meeting through to adjournment.

Evaluation and Follow-up

Assign certain responsibilities such as to make a main motion, to make an amendment, and so on to several students and see if they use the correct procedure to get it accomplished in a simulated meeting. Use parliamentary procedure in class discussions and to debate issues. If the situation allows, simulate a session of the House of Representatives or Senate or City Council.

Lawmakers

All Aboard the United States Citizenship

Nina Dee Duff
Elementary School Teacher
Texarkana, Texas

Purpose

To involve students in their own learning so that they will become responsible citizens and participate as leaders to safeguard the liberties and freedoms of all citizens.

Objectives

The students will learn to appreciate our country's heritage and traditions, be aware of the uniqueness of each individual, the qualities of a good leader, demonstrate the new for rules and laws, demonstrate crime prevention, explain the judicial system in relation to juveniles, use models for rational decision making, be aware of the ecological problems that accompany rapid scientific and technological progress, suggest solutions to the challenges created by the global environmental problems, use the skills of critical thinking and research, and practice being leaders in school.

Materials

Participate in an American Partnership, Oklahoma State Department of Education

Bright Ideas for Student Leaders, Reum, California Association of Student Councils, 1985

Guidelines to Teaching the American Way of Life, Freedom Foundation at Valley Forge, Valley Forge, Pennsylvania, 1948.

Procedure

1. Initiate a Citizenship Campaign during the first of school using the idea of students boarding the *U.S. Citizenship*.

2. Plan an assembly to kick off the good citizenship campaign. At this assembly present the Captain (principal), the Crew (teachers), and the Passengers (students). Tell the students in order for them to have the most enlightening voyage aboard the *U. S. Citizenship* there are certain responsibilities and rules they must keep as passengers.

3. Inform the students of the organization called SPICE (Students Participating in Citizenship Education) is going to be formed. To become a leader of this organization, they should prepare a speech to be presented to their class telling why they would make a good leader.

4. During the assembly award two honorary SPICE memberships to outstanding citizens of the school who have proven their citizenship.

5. Plan an election in each room so that each student may present why he/she should be chosen to attend the SPICE Council meetings. Ask the class to vote on who they think would make a good SPICE leader.

6. Publicize meetings and recognize students for accomplishments in newsletter and bulletin board. Place a bulletin board in the hall entitled *Salute to Super Stars*. Each time a representative is elected, place the student's name on a star to be placed on the bulletin board. Pick a student to highlight each week on this SPICE bulletin board, and list outstanding students from each room. Post announcements on this board.

7. Conduct meetings with the SPICE Council using the following concepts from the books listed in the materials section. The SPICE Council should be presented with the materials they will use in peer teaching in their classrooms.

8. Plan assemblies to be sponsored by SPICE to enhance life aboard the *U. S. Citizenship*.

9. Have an awards assembly at the end of school to honor SPICE leaders and good citizenship. Give each member a certificate for making the voyage aboard the *U.S. Citizenship*.

Concepts to be Presented

We the Students

Awareness of self and environment

American freedoms-meaning of citizenship

Leadership qualities-creative traits

Duties and Rights of Citizenship

National symbols

Appreciation of country's heritage and traditions

Duties and responsibilities of citizenship

Citizenship in the Family

Law and the family

Family and you

Citizenship in School-Authority

Rules, responsibility

Respect for property, authority, and laws

Critical thinking skills

Citizenship in the Community-Rules, Laws

Juvenile Justice System

Crime Prevention

The American Economy-Choices

American economic system

How Americans manage their money

Careers for Americans

Meeting the Challenges of the Future-Decision Making

You and the law

Treating juvenile crime

Ecology

Problem of pollution

Energy for today and tomorrow

Protecting our future

SPICE Citizenship Months

September	Citizenship Assembly (Sept. 17) and SPICE Kick-Off
October	National School Lunch Week
November	Education Week (Honor teachers and Children's Book Week
December?	Christmas Open House and Visit Rest Homes
January	Study of Creative People and Creative People Speakers
February	Patriotic Week and (Red, White, and Blue Day)
March	Energy Day and Kite Flying Contest
April	Law Day and National Library Week (Young Author's)
May	SPICE Day (Awards) and Field Trip

*Welcome Aboard the *U.S. Citizenship**

We have assembled today to kick off our Citizenship Campaign at Dunbar School. How many of you know we celebrate " "Citizenship Day'' in the United States? Citizenship Day is September 17, because that is the day the Constitution was signed in 1787. There are many ceremonies held in cities across the country on this date. At these ceremonies, people born in another country are naturalized. This means that they take an oath of loyalty to our country and give up their citizenship in their old country.

You will be hearing a lot about our U.S. Constitution. Soon we will be celebrating its 200th birthday or bicentennial.

To be a citizen of this great country is a privilege but it also involves some responsibilities. This year we want to study some of those responsibilities.

Our Captain aboard the *U.S. Citizenship* has worked very hard to get the ship to function properly. She/he is certainly being a good leader, and is doing everything she/he can to promote excellence aboard this ship.

We have several crew members aboard the *U.S. Citizenship.* You are familiar with the crew. Would the crew please stand up? They are working very hard for this ship to function properly.

We have some more people aboard the *U.S. Citizenship*, and that is you, boys and girls, the passengers. (Please stand) In order for this ship to function properly, we have to have your cooperation. There are rules and responsibilities that our passengers must keep.

We want this voyage to be the most productive one you have ever taken, and to be the most enlightening. To help us achieve our goals, we are creating a student organization, which we will call SPICE (Students Participating in Citizenship Education).

To become a member of this organization you must be a member of this school, know your rights and responsibilities of citizenship, and be a good citizen of our school. The main purpose of this organization will be to help make our school more effective, and to enrich our life aboard the *U.S. Citizenship.*

Next week, each classroom will be electing two representatives to come to the SPICE meeting. The representatives will in turn teach you what they learned at the SPICE meeting.

Students who would like to be elected may make presentations to their classes telling why they would make good leaders of the U.S. Citizenship. The SPICE Council members will serve for a period of three weeks and then new members will be elected.

Some activities the SPICE Council will sponsor are: Teacher Appreciation Day, Young Author's Project, Energy Conservation Essay and Poster Contest, Kite Flying Contest, Patriotic Week, Christmas Open House, and Law Day. We hope at the end of school, we can honor all the good citizens of Dunbar School at a special Awards Assembly.

Today we want to recognize some special people who have proven their citizenship qualities aboard this ship. We want to make them honorary members of our SPICE Council because be believe they practice all the rules of good citizenship. (Identify two or three people to honor. Custodians, city officials, community helpers might be honored.) We want you to have these SPICE shirts because of your outstanding citizenship in our school and city.

Boys and girls that kicks off our SPICE Campaign let's be preparing for our election in two weeks. Please watch the bulletin board for all the details.

Thank you for your attention this morning.

Criminal Justice

Easy Rider — Measuring Effectiveness of a Police Ride-Along Program

Mark Binder
High School Teacher
Dowagiac, Michigan

Audience

The Easy Rider project was developed for students at the secondary level, grades nine through twelve.

Purpose

Dowagiac, a small city with a population of 6,500 in the southwest corner of Michigan, has had a police/student ride-along program since 1981. The idea "familiarity breeds understanding" was the premise on which the program was built. Over the next five years the program grew from less than ten participants the first year to two hundred students riding with police on patrol in 1985/86 school year.

It was obvious from the large number of participants and their positive comments that the Easy Rider program was a popular one. It seemed to be a program worthy of promotion as an effective tool for teachers using law-related education concepts. However, no real data had been gathered with which to determine the program's true effectiveness in meeting the goal of increased understanding between the students and the police.

Therefore, this project has attempted to present the police ride-along project in a step-by-step, easily understandable plan with backup statistics compiled during the 1985/86 school year.

Time to Complete Procedure

The time to complete a ride-along program, as laid out in this project, varies depending on the cooperation and approval of the police, school administration, and the city attorney or county prosecutor. The size of the group of students and the number of police to be involved are also factors that must be considered. Since the activity is carried out after school, there is no class time taken except for explaining and evaluating the program and allowing students to report on their experiences.

Procedure

The first step in implementing a police ride-along program involves approaching the parties who must approve the project. The cooperation of building and central school administration, the police department, the prosecutor or city attorney, and the students and parents is essential.

In presenting the program to school administrators, it is helpful to delineate the possible benefits of the program as follows:

- A ride-along program is an excellent way to teach citizenship through active participation in the community.
- Positive public relations for students, parents, community, police, and school are fostered.
- Juvenile delinquency may be reduced.

The major potential problem area usually involves school liability. Since the activity takes place after school and is voluntary, there is limited liability to the school. In addition, all student participants must have parent approval.

In order to gain police approval and acceptance, the benefits of the Easy Rider program may be presented from their point of view. Such a program promotes good public relations for police, makes potential contacts for information more accessible, and may reduce juvenile delinquency through better understanding of police problems. The police should be invited to play an active role in setting time limitations of the program and in the selection of students. City liability insurance covers accidents and dangerous situations can be minimized by dropping off students at designated "safe points" throughout the city.

In order to work out legal situations, the prosecutor or city attorney must be contacted. Together with the police, they formulate a waiver form to specify the following:

- Police responsibilities
- Student responsibilities
- Parent approval and signature required
- Voluntary basis of the program
- Steps to be taken by students and police in emergency situations
- Phone number to call for additional information
- Time of ride-along.

After the waiver has been developed, the Easy Rider program is presented to students and parents. The challenge of the experience and the motivation of extra credit promotes student acceptance. The detailed waiver is sent to parents explaining the exact responsibilities of both students and police.

The second step in implementing a ride-along program actually includes part of the evaluation process. Both the student and police participants complete a survey regarding the other's perceived role and behavior. After participation in the program has been completed, the students and police will complete the survey again and any attitudinal changes may be measured using either descriptive or inferential statistics.

The scheduling of students comprises the third step for implementation. If the best behaved and brightest students are scheduled first, the police officers tend to be more relaxed and a positive beginning is insured. A signup sheet is provided to students. When completed, well before the first ride-along date, a copy is sent to police to allow them input into student selection. The suggested time for riding along with the police is Monday through Thursday from 6:30 p.m. to 9:30 p.m. This time seems to work best because it is after school hours, usually after dinner for most students, and is not prime crime time. It does not conflict with Friday night school activities. Also, Friday night is the most likely time for fellow students to be arrested.

Once the program begins, the schedule for ride-along times is posted and referred to daily. Five to ten minutes at the beginning of each class session is spent discussing student's experiences. Students receive checklists on which general information about their experience is noted as they ride along.

As students begin to ride, the next step in the implementation process begins. This involved ongoing promotion of the Easy Rider program. By speaking to various service groups excellent public relations for the school, police, and the ride-along program may be nurtured. The community realized that students are in police cars every night as active participants in their community rather than as a result of being in trouble. The community also sees that police are performing a valuable service above and beyond their usual duties. Community acceptance is also promoted by exposure in local newspapers.

The last procedural step is that of evaluation. This evaluation is comprised of two parts. First, evaluation of the program by those who have observed its operation is sought. Letters may be solicited from the chief of police, probate judge, school principal, school superintendent, parents, and businessmen asking for their thoughts and impressions of the program. In this way, it is possible to evaluate the impact the program has had on the community. In response to these letters, thank you letters to all law enforcement agencies and school administrators should be written by the teacher.

The next evaluative step is the completion of the attitudinal survey by the students and the police. This survey is identical to the survey completed before ride-along participation. A variety of measures, including checklists, open ended, statement-type surveys, or assorted scales may be used to measure the effectiveness of the program. These measures may target a number of variables.

Although quite detailed inferential statistics were applied for the purpose of this project, less formal evaluative methods may also serve to show the effectiveness of the program. After all, the name of this project is Easy Rider and the ease with which the program may be implemented and evaluated is crucial. Checklists and surveys may be examined for any mean, median, or mode changes. Open ended statement-type surveys may be tallied according to positive versus negative remarks.

Evaluation

Pre and post ride-along surveys were administered to students. The police officers involved with the program throughout the year were the same ones who started with the program in 1981. An evaluation tool had not been developed at that time. Consequently no pre-survey data was collected from them. Their impressions, thoughts and concerns regarding the program (before it started and today) were submitted in letter form.

The survey administered to students contained statements which were constructed to measure preconceived attitudes about police officers and their jobs. A Likert five-point scale was utilized. Items were written in both positive and negative directions. A positive item was scored by the following key: 1 = strongly disagree(SA), 2 = disagree(D), 3 = not sure(NS), 4 = agree(A), 5 = strongly agree(SA). Negative items were scored: 1 = SA, 2 = A, 3 = NS, 4 = D, 5 = SD. The reason for reversing the scoring of negative items was to reflect positiveness in a total score.

Statistical procedures to determine the mean and standard deviation for each statement on the scale were applied. Pretest and posttest data were scored separately and then compared using a t-test to determine levels of significance.

Overall, the means of the pretest and posttest showed a positive trend of .44. A positive shift in attitudes was determined to be significantly increased ($p = .10$ for a one-tailed test) in statements 4,5,6,7,9,10,12, and 3. All but Statement 1 showed positive growth in the mean pretest and posttest scores. The overall mean of the posttest showed a significantly positive growth over pretest scores.

If it is assumed that responses to the statements represented attitudes on a negative to positive continuum, it can be stated that there was a definite positive shift in attitudes. Therefore, the original goal of creating a better understanding of the police by the students was accomplished.

Materials Needed

- Student waiver form designed by an attorney
- Student signup sheets
- Student ride-along checklist of events
- Student survey
- Police survey

Follow Up

In retrospect, there are several things that should have been done differently. First, the police officers who take part in the program should be pretested. Second, several statements should have been reworded for increased clarity. Third, increased significance could be achieved if a control group was tested and the results examined for any positive shifts in scores as a result of participation in the law class alone.

It is envisioned that the innovative teachers who study this project description will apply their talents to further expand, enrich, and adapt this program and other law-related education concepts.

Law Survey for Students

Please complete the following survey by circling one (1) of the five responses to each question.

1. Strongly Disagree (SD)
2. Disagree (D)
3. Not Sure (NS)
4. Agree (A)
5. Strongly Agree (SA)

	SA	D	NS	A	SA
1. The police serve a very needed function in society.	1	2	3	4	5
2. Most police officers are honest.	1	2	3	4	5
3. The police officer's job is very dangerous.	1	2	3	4	5
4. Police hassle young people 14-21 years old more than adults 21 years and olders.	1	2	3	4	5
5. Young people commit the most crimes.	1	2	3	4	5

6. Police officers are well trained for their jobs.	1	2	3	4	5
7. People are usually afraid when they see a police car or police officer.	1	2	3	4	5
8. Police are not very friendly.	1	2	3	4	5
9. I am a friend of a police officer in my city.	1	2	3	4	5
10. Some police in my city see me as a friend.	1	2	3	4	5
11. Police give too many unnecessary tickets.	1	2	3	4	5
12. Police have a certain amount of tickets they must write.	1	2	3	4	5
13. Police work interests me.	1	2	3	4	5

Law Survey for Police

Please complete the following survey by circling one (1) of the five responses to each question.

1. Strongly Disagree (SD)
2. Disagree (D)
3. Not Sure (NS)
4. Agree (A)
5. Strongly Agree (SA)

	SA	D	NS	A	SA
1. Most high school students dislike police.	1	2	3	4	5
2. High school students have disrespect for authority.	1	2	3	4	5
3. Most high school students are too immature to understand the police officer's job.	1	2	3	4	5
4. Most high school students distrust police.	1	2	3	4	5
5. Most high school students would be bored riding around with the police for a three hour shift.	1	2	3	4	5
6. Most high school students like pulling pranks on police.	1	2	3	4	5
7. If students ride with police on patrol, they will better understand how to commit crime and get away with it.	1	2	3	4	5
8. tudents should not ride with police because they are too immature to fully understand the responsibilities of the officer's job.	1	2	3	4	5
9. Most students are honest.	1	2	3	4	5
10. Most students are trustworthy.	1	2	3	4	5
11. Students should not ride with the police because it would be too dangerous.	1	2	3	4	5

Police Ride-Along Information Sheet

Name______________________________

Date______________________________

Hour______________________________

1. Officers Name:______________________

2. Officers Title:______________________

3. Equipment in patrol car which was shown to you: (check)

______ Emergency light ______Weapons

______Siren ______Emergency kit

______Police radio

______Radar unit

______Other list

1.

2.

4. Types of calls responded to:

__Domestic disturbances

__Fire

__Traffic stop

__Breaking and Entering

__Larceny

__Abandoned vehicle

__Juvenile disturbance

__Animal disturbance

__Unknown trouble

__Other

5. Explain calls you checked.

____

____

(Complete for extra credit)

6. Write a two hundred word narrative on what you have gained or lost from the ride-along experience. Example: More or less respect for police, their job, their attitudes, etc.

Criminal Justice

Plea Bargaining: A Mini Simulation

Lowell Ueland
High School Teacher
Glencoe, Minnesota

Audience

The activity is designed for eleventh and twelfth grade students, however, it should work with younger students as well.

Introduction

Simulations conducted within a class period or two can help students learn about the legal system in an interesting and enjoyable way. However, too often the simulation is lengthy and takes an enormous amount of the teacher's time to prepare the student.

Purpose

This simulation is an attempt to present the concept of plea bargaining and the advantages and disadvantages of its use in a short period of time with minimal preparation for the teacher.

Too often we look at the law as only dealing with procedural rights and the courtroom drama of the jury trial. This activity will give the student the opportunity to experience another avenue used extensively in the criminal justice process. The student's involvement in plea bargaining will make them aware of a legal process by which many criminal cases are handled short of a trial. In addition it will give the student the opportunity to look at another method of conflict resolution and to make value judgements regarding our legal system. It should, also, allow the student a further analysis of the purposes and goals of our legal system from another perspective.

After a crime has been committed and an arrest made, the prosecutor faces a most difficult task of deciding what crime the accused should be charged with and evaluating the chances of getting a conviction on those charges. Many factors go into making the decision, including the specifics of the crime, the elements that must be proved, the evidence,political climate, and public pressures.

After making the decision, the prosecutor must then build the case. The defense attorney, on the other hand, is looking at the same factors and building a defense.

Objectives

The student participant will

- list and explain with understanding the legal concepts presented in this activity.
- be aware of the problems and controversy centered around plea bargaining.
- be able to determine the values that influence each team in making decisions
- be able to describe and evaluate the effectiveness of the various strategies in dealing with the problem.
- be able to describe and evaluate the effectiveness of the various strategies in dealing with the problem.
- be able to formulate a hypothesis about the conflict between the plea bargaining process and the individual's constitutional rights.

Time

This activity can be completed in two to three class periods.

- Orientation, instructions and other preliminary activities — 20 to 30 minutes.
- Enactment — 40 to 50 minutes.
- Evaluation — 20 to 30 minutes.

Procedures

1. Begin the class by discussing plea bargaining as an alternative to a jury trial. Explain what plea bargaining is and how it differs from an accused's right to a jury trial. Discuss the circumstances under which plea bargaining might take place. You might want to have the students explain what they think the advantages and disadvantages of plea bargaining might be and how it might affect the rights of the accused. End the discussion with the statement that they are now going to participate in a plea bargaining simulation.

2. Prior to playing the Plea Bargaining Game, the facts of the case (developed by the teacher) and a copy of the law(s) should be distributed to the class. The teacher should check the class for understanding of the facts and the applicable laws for the particular state they are in.

Editor's Note: When developing the facts of the case remember that each side will have strengths and weaknesses. Also, one side will often not know all of the strengths and weaknesses of the other side. You might find your local prosecuting or defense attorney helpful in developing facts that accurately reflect a plea bargaining, sometimes referred to as plea negotiating situation.

3. Divide the class into several groups of six to eight students. Each group will consist of the prosecution team, the defense team, the judge, and the accused. Each of these teams will role-play a plea bargain of a case assigned to them. There should be at least three to four groups going at the same time depending upon the size of the class.

4. Each group should select who should play each of the roles: prosecution, defense, judge, and the accused. Roles should be selected based on ability and interest. A plea bargaining scenario will usually include the following participants:

- judge
- the prosecution team (2-3)
- the defense team (2-3)
- the accused

5. Each team will be permitted to meet to prepare for the enactment. The prosecution and the defense will be assigned to represent their respective sides and build a case. They prepare their sides looking at the facts of the case and the charge.

6. During the preparation the instructor should make sure that each participant understands:

- his/her role in the game
- the kinds of activities he/she may not engage in
- the sequence of events
- any other related facts or information

Enactment

The actual enactment of plea bargaining should follow the sequence of events outlined as follows:

- The charge(s) is/are read by the judge and the accused pleads not guilty. The judge then will set the date of the trial. This should take about five minutes.

- The defense attorney(s) meets with the accused to go over the facts of the case and the negotiated plea. This should be approximately 5-10 minutes.

- The two teams will begin negotiating a plea based upon the strengths or weaknesses of their case. This will be 15 to 20 minutes of class time.

- A second hearing takes place at which time the original charges are read. The prosecution will ask for a reduction in the charge or whatever has been negotiated and the defense will respond. The judge will ask that each justify the reduction in the charges. The judge will then sentence the accused accordingly. This will take approximately ten to 15 minutes.

Evaluation

After all the groups have completed their cases, a spokesperson from each group will summarize their case and give their reasons for doing what they did before the entire class. A discussion should take place using the following questions:

- Does the class agree with the groups decision and why?

- Was justice served or did the accused get away with the crime?
- What are some of the considerations that are involved in the plea bargaining process?
- How effective was the strategy that was used to plea bargain your particular case?
- Describe any conflict between the plea bargaining process and the rights of the accused.

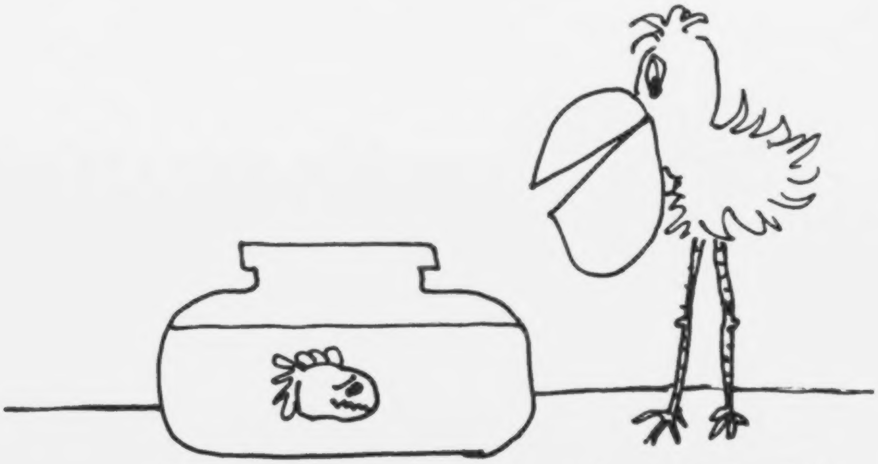
Materials Needed

- The facts of the case. (Teacher developed or taken from other sources such as your county attorney, law periodicals, from another lengthy simulation or you might have the students develop the facts of the case as a writing assignment and take the best four.)
- A copy of the laws being used in the simulation. Copy the respective laws that will be used in this simulation from your state criminal code.

Follow-Up

1. Have the county attorney (prosecutor) and a local attorney or the public defender come in and visit with the class on the issue of plea bargaining.

2. View the video tape The Law (available from Social Studies School Services, Culver City, California). This is an excellent dramatization of plea bargaining and the issues of the criminal justice system.



NO, IT'S NOT THAT KIND OF BILL OF RIGHTS!

Criminal Justice

Stirring Emotions in the Classroom for Better Learning: Suggested Teaching Strategy

James Crain
High School Teacher
Milwaukee, Wisconsin

Audience

Eleventh and twelfth grade students

Purpose

The intent of these activities is to generate a clear interest in a specific area of law that the teacher wishes to get across to students. How this is done is the basis for these activities. The teacher decides upon a specific subject or area of law that is to be taught, creating an approach that will make every student become excited, aroused, inflamed, outraged, and so on so that they clamor to have more information and their questions answered.

Once this step has been completed what may have been dry information may now be eagerly absorbed by the students.

Completion Time

For the first sample activity one class period is necessary. However, preparation should begin about two weeks prior to the activity to allow for necessary permissions from parents, administration and police.

Mock Simulation

Students are stimulated by heated controversy in the classroom, as can be observed when an argument or a fight breaks out. Their adrenaline begins to flow. All eyes and ears are attuned to whatever is happening. My idea is to use this peak interest for their own benefit. This can be done by staging the crisis as a direct lead into the subject the teacher is about to begin. Obviously, safety precautions must be taken and some advanced preparation must be made.

When a teacher proposes to have students examine criminal law or juvenile law, local police departments are often willing to help. Being previously arranged between a "planted" student and one or two police officers, and, of course, with parents and administrations permission, the police could enter the classroom and single out the specific individual. The teacher acts as if he or she knows nothing of what is happening and is in shock, as the classroom on the whole probably will be. Politely, but firmly, the police officers ask the student to come with them. As they reach the door, the class begins to hear, intentionally, the reciting of the Miranda rights.

The student, in the meantime, becomes extremely belligerent and subjects the police officers to provocative verbal abuse. The student is doing everything in his immediate power to abuse the police officers for doing their duty in apprehending a suspected delinquent.

As the police officers pass through the doorway with the student where much, but not everything, can be viewed by the class, the student becomes violent as he is searched for weapons or contraband. At this point, the emphasis turns toward the police officers who becomes somewhat more violent with the student, using, what should appear to be, excessive and undue force in handling the suspect. The class should now be quite aroused and excited. It is here that the scenario is terminated and the hoax is revealed to the class as a whole.

Simulation Follow Up

Sincerely role playing and classroom control are essential to maintain the integrity of this activity and safety of all concerned. No one needs the problem of a sympathetic student losing his cool and getting involved with the police.

Another important consideration for the success of this particular project is that you can probably only once perform a dramatic scenario, such as the one I've just described. Since students have a tendency to spill the beans, to all of their friends, it could lose the needed dramatic and realistic impact required for success if acted out more than one time.

In a school where the teacher has more than one law class and where he or she wants each class to benefit from this experience, a means must be devised to have the classes meet at the same time. I have accomplished this by conducting class in the library during one of my regular class periods. I provide in-school field trip permission slips to the pupils of my other classes so they can also meet in the library at that time. The field trip must be conducted under some other pretense so the students are not aware of the real reason for getting together. A guest speaker may work well as an excuse to meet all at once.

How this activity is used once the role playing has concluded determines its true value. Topics can be discussed which include the individual rights of the accused and the rights of the police officers.

- How much abuse should an arresting officer be required to take?
- How much force should the police be allowed to use?
- What were the Miranda rights?
- How does juvenile law enter the picture?
- How does the in-school arrest effect the student arrested and the other students in the class?

Questions can arise and be discussed which allow a teacher to focus on criminal law, juvenile law, individual rights, or any of a variety of subject areas.

Properly using this affective approach to law-related education can generate a tremendous amount of feedback and learning.

Additional Activities

The in-school arrest is just one dramatic activity that can be used. Hollywood movies on related subjects often insense students and keep them on the edge of their seats, as well as keep them coming to class each day of the activity. They don't want to miss a part of it. Sporadically used, these types of movies stir up student interest. I have found this activity to be very beneficial. I continue to get positive feedback throughout the year from students who bring up questions regarding happenings from movies viewed six months prior.

A note of caution here. Just as I have reaped benefits from these Hollywood productions, so have I encountered a few problems. Occasionally, the modern movies, even those with excellent ratings, exhibit language that many parents deem offensive. You must be prepared to deal with that if the problem arises. Also, you must be willing to use up to three days of back to back class periods to show an ordinary Hollywood movie. This has been my single biggest problem and has put my instructional calendar behind by several weeks. With the limited amount of time we all have in class, a teacher must be prepared to make concessions.

Subjects may be introduced achieving the same effect as described above through specific field trips, such as to the county morgue, a funeral home, a jail or the state penitentiary.

Hopefully, with a little foresight and planning, the approaches described here can be utilized in many different settings and can be helpful to a teacher who needs another approach to motivate and stimulate students to learn.

Criminal Justice

SPICE — Students Participation In Citizenship Education

Karen Cabe-Gibson
High School Teacher
Charleston, South Carolina

Audience

Ninth graders interested in studying about criminal justice in the United States.

Purpose

SPICE was designed to be a hands-on social studies course for ninth graders. The students study a variety of topics relevant to law and internalize this information through a student-teaching model.

The curriculum is scheduled for a year course. The first semester gives students background information regarding crimes and the adult criminal procedure. During this unit of study, students will also participate in a mock trial. Second semester, the students compare the rights of juveniles to those of adults and study specific crimes that are committed more often by juveniles. The students develop student-teaching materials on various topics, such as vandalism, arson, drug abuse, shoplifting, the rights of children, juvenile courts and corrections and law enforcement. They present these lessons to elementary and middle school students and these students reproduce the same mock trial they did first semester.

Goals

- To increase awareness of the problems caused society and individuals by criminal acts
- To decrease delinquent acts by students involved in the program
- To increase practical application of law-related education
- To share the knowledge gained by ninth-graders with younger students

Objectives

1. The students will define law, citing examples of the two major types?civil and criminal.
2. The students will describe the nature and causes of crime.
3. The students will describe the movement of cases through the adult criminal justice system.
4. The students will coach middle school students in a mock trial.
5. The students will list the rights of children in the home, in school and in society.
6. The students will compare the juvenile justice system with the adult's criminal procedure.
7. The students will prepare student-teaching materials and present lessons to younger students.

Materials and Resources

Organizations

Constitutional Rights Foundation, Los Angeles, California

National Institute for Citizen Education in Law, Washington, D.C.

American Bar Association, Youth Education for Citizenship, Chicago, Illinois

Current Periodicals

Guest Speakers

Law Enforcement officers, court officials, Department of Social Services, Department of Youth

Services, Department of Corrections, public officials, school district officials, and victims of crime.

Field Trips

State courtroom, state correctional institute, local police station, state capitol, and state supreme court

Procedure

Objective #1

The students will define law, citing examples of the two major types — civil and criminal.

Time 5 days

This unit of study covers the definition of law, the types of laws, how laws are made and how disputes over laws are settled. Students define law, explore the differences in civil and criminal law, study the various law making agencies, and learn how disputes are settled in court (federal and state) and out of court.

Objective #2

The students will describe the nature and causes of crime.

Time 40 days

The "crime" unit evaluates various acts, determines what acts are criminal, and if considered criminal, how severely they should be punished. Crimes against persons, crimes against property, victimless crimes, status offenses, white-collar crimes and crimes against society are included in this unit. Guest speakers are utilized a great deal in this unit?law enforcement officers, the directors of various victims-assistance programs, security guards, substance abuse officials, and attorneys are used most often during this course of study.

Objective #3

The students will describe the movement of cases through the adult criminal justice system.

Time 45 days

The adult criminal procedure consist of everything that happens to a person from the time of an arrest until that person is free from the control of the state. This unit begins with a study of arrest procedures, including all elements necessary for a legal arrest. Other procedures studied in detail are searches, interrogations, booking process, preliminary hearing, grand jury, pretrial motions, plea bargaining, voir dire, trial by jury, rights of accused persons, sentencing, and punishment.

After studying this procedure, the students practice what they've learned by participation in a mock trial. Before the parts are assigned, the students visit a courtroom to view the actual procedure. Students are assisted in the preparation of this mock trial by attorneys and the teacher. The mock trial is video taped and students evaluate their performance and the performance of their classmates.

Objective #4

The students will coach middle school students in a mock trial. (The mock trial used is "Burglary" by Robert J. Rader, copyright, 1978, by Justice Publications)

Time 10 days plus several after school and Saturday practices

The students will enhance their knowledge of courtroom procedures further by coaching middle school students in the same mock trial they performed earlier. Preliminary instructions, as well as the actual coaching, are the responsibility of SPICE students. A cooperating middle school teacher and the schedule must be arranged by the SPICE teacher. Several after school and Saturday practices also take place. The final mock trial is held in a local courtroom with an actual judge presiding. Parents and friends are invited to attend.

Objective #5

The students will list the rights of children in the home, in school, and in society.

Time 20 days

Students study about various laws and court cases that have established certain rights for juveniles. I used the South Carolina "Child Protection Act of 1977" to introduce the first section of this unit of study, "Children's Rights in the Family." The statute is used to define certain key terms such as child, parent, guardian, abuse, neglect, and so on. Several guest speakers are used as resources to help the students better understand the problems children have in the family, especially the problem of abuse and neglect.

The second section of this unit concerns "Students' Rights." Students study precedent cases such as *Tinker vs. Des Moines Independent School District, Goss v. Lopez, Richards v. Thurston, New Jersey v. T.L.O.* (Contact a local judge or attorney for citations and summaries of these cases.) Students also study their school handbook and the school district's code of conduct to gain knowledge of the history of students' rights. Several guest speakers are used in this unit, including the principal, other school district officials, and an attorney.

The final section of this unit concerns "Juveniles' Rights in Society." Included in this section is background study of how laws have treated juveniles throughout history and how those laws have changed, especially since the Supreme Court case *In re Gault*, 1967.

Objective #6

The students will compare the juvenile justice system with the adult's criminal procedure.

Time 15 days

Students study, in detail, the history of juvenile justice in the United States. Students study about what happens to juveniles who break the law and why they are treated differently than adults.

After studying about the first system of juvenile courts (established in Illinois in 1899), the students study the present juvenile court system. A comparison is made with the adult system every step from the "taking into custody" (arrest for adults) to the "disposition" (sentencing for adults).

Community resource persons are used throughout this unit?juvenile probation officers, juvenile court officials, Department of Youth Services, personnel, juvenile judges, and law enforcement officers trained to work with juveniles.

THE 3RD GRADE CRIME BUSTERS AND VIGILANTE CORPS
HEY, NO! KIDS!! YOU HAVE TO DO THIS WITHIN THE LAW!

Objective #7

The students will prepare student-teaching materials and present lessons to younger students.

Time 45 days

A great deal of preparation goes into the student-teaching phase of SPICE. Students are divided into groups of two to four members. There are seven groups: Law Enforcement, Juvenile Courts/Corrections, Children's Rights, Vandalism, Arson, Shoplifting, and Drug Abuse.

The students research their topics. Although they have already studied all of the topics they may want additional material. As a group they are responsible for determining what information they want to teach about their topic. The teacher guides them in selecting information. After research is completed and they have gathered all the information they need, they will write lesson plans for the classes they will teach.

It is the teacher's responsibility to contact neighboring middle and elementary schools to schedule the student-teaching.

Before the students student-teach, they must practice on the class. This allows them to make necessary adjustments and improve weaknesses. They do this after teaching one elementary or middle school lesson. After the student-teaching, the students evaluate themselves, the cooperating teacher evaluates them (form provided by SPICE teacher), and the SPICE teacher evaluates them.

Evaluation

Students are evaluated often with quizzes, tests, essays, research assignments, group work, and oral presentations. At the end of the year, students evaluate the course, and make suggestions for improvements. Part of this evaluation is an essay by them about whether they have made any attitude changes in the various areas studied. Also the SPICE teacher periodically does values surveys since one of the main goals of the course is to deter juvenile delinquency.

Criminal Justice

Punishment: Investigating an Idea

Sandi Rogers
Junior High School Teacher
Rosman, North Carolina

Audience

Seventh, eighth, or ninth grade students

Purpose

Punishment is an activity that incorporates brainstorming, researching, and writing activities in a language arts or social studies class. This is an activity designed to help students write. The worksheet gives the students a basic organization, a place to start. The activity gives students an opportunity to add their own details, filling in the blanks and answering questions to create a finished paper. This enrichment activity does not necessarily preclude continuing with the regular curriculum.

Time

This is a three to five day assignment, 30-45 minutes of each class period that can be completed at any time or following the study of the Eighth or Fourteenth amendments.

Procedure

Provide students with a copy of questions provided, or your own. Begin by allowing time for brainstorming and sharing of ideas. Questions 1, 2, 3, 4, and 8 are good for brainstorming. Time for research should be allowed for questions 5, 11, 12, 13, 15 and 16. The remaining questions are opinion related; however, some are based on research. After completing the brainstorming and researching parts of the assignment, students should re-read what they have written. Next, they should decide on the order for the information and look for the best way to put it together into a paper about punishment and continue re-arranging paragraphs until they are satisfied.

Finally, students copy the paragraphs in order and write new connecting sentences making sure transition is smooth. Each paper should end with a concluding thought about punishment and a bibliography.

Questions

1. List some different punishments you have had throughout your life.

2. Explain the punishments you have had that you think had some effect on you. Compare these to other punishments that didn't mean anything.

3. Give 4 good reasons why punishments are necessary.

4. a. What do you think is the best punishment to use at school? Explain your answer with several reasons.

   b. What are your opinions concerning corporal punishment and in-school suspension?

5. Spending time in prison is one punishment for people who break the law in our country. Find out six facts about prisons.
   1.
   2.
   3.
   4.
   5.
   6.

6. Explain why you think we have prisons. How would things be different if there were no prisons?

7. What are alternatives to prison?

8. A person can be sent to prison for 20 years. If someone is in prison from age 20 to 40, how do you think it changes that person's life? List three ways it would make someone's life different.

1.
2.
3.

9. What do you think should be changed about prisons? How could life be made better for the prisoners?

10. What do you think about our national prison system? Do you think it keeps people from committing crimes?

11. Find out several facts about the North Carolina prison system.

12. What is the Eighth Amendment? What is the Fourteenth Amendment?

13. Describe what capital punishment is and when it is used.

14. How do you feel about capital punishment? Do you think it is cruel and unusual? Do you think it helps stop crime?

15. What are some alternatives to capital punishment?

16. Examine recent U.S. Supreme Court cases concerning capital punishment.

17. Examine statistics concerning capital punishment in North Carolina.

Evaluation

This should be left up to the individual teacher but should include the activities of brainstorming, researching, and writing that lead up to the finished product.

Criminal Justice

Communicating with Inmates

Reginald Boyd
High School Teacher
Coral Gables, Florida

Audience

The following target population will be involved in this program and will benefit through activities designed for the exchange of communications.

- Junior and senior high school students enrolled in law-related education course work.
- Teachers and school administrators.
- Parents and students enrolled in the inmate program.
- The local school system law-related education project office staff.
- Local lawyers, judges, police officers, correctional officers, and other law-related employees.
- Prison and jail inmates incarcerated in local institutions.

Purpose

The main purpose of this program is to provide various methods of communication between both prison/jail institutions and school systems working together toward the reduction of criminal involvements among junior and senior high school students.

The following objectives serve as a guide for implementing this program.

- Students will be able to visualize the true purpose for jail and prison institutions and think about the consequences involved in such incarcerations.
- Students will be able to discuss the reasons why people commit criminal acts, and develop incentives to avoid such undertakings in their own personal lives.
- Students will be able to help each other to better understand the consequences associated with involvements in criminal activities by working together and using a team work approach.
- Local prisons and jails through speaking engagements and the establishment of a pen-pal system, will have the opportunity to directly assist local school systems to help students consider the risks of criminal behavior.
- Teachers, administrators and law-related education specialists will be able to compile significant data to evaluate the effectiveness of how such a program can reduce criminal involvement among students within a specific target population.
- Parents will gain understanding and appreciation for a community correctional institution, through student involvement in such activities designed for the reduction of criminal involvements.

Material and Resources

The following people will be involved in the program.

- A target population of junior or senior high school students.
- Parents of students involved in such a program to monitor and evaluate results on an ongoing basis.
- Teachers, administrators and law-related education specialists interested in activities de-

signed to reduce student involvement in criminal activities.

- Various resource speakers such as local lawyers, judges, police officers, correctional officers, law-related employees, and jail/prison inmates.

The following spaces are needed to implement this program.

- A large classroom to accommodate peer group discussions.
- A large room at a prison or jail facility for both inmates interviews by students and a large group meetings.

Other resources include

- A measurement instrument to determine specific reading levels among students, such as a cloze test, to help assign peer group activities.
- A listing of resource speakers from law-related job specialities and jail/prison inmates.
- A listing of approved inmates obtained from the local correctional institutions to be used for the development of the pen-pal system.
- Local newspaper and television agencies to provide coverage during specific phases of the program.
- Bus transportation services: for field trip opportunities.
- A form for students, parents, inmates, prison officials, teachers, and administrators to evaluate the overall effectiveness of the program.
- A videotape recorder, tape recorders, camera, scrapbook, copy machine, stamps and writing materials.

Procedures and Time Frames

This program is part of a nine week unit covering the topic, criminal justice. The implementation of this specific three phase component will take five weeks.

Phase I (Weeks 1 and 2)

1. Assign peer groups of at least six students each according to reading levels after administering a cloze test or a related measurement instrument for class comparisons, and to insure a mixture of all achievement levels within the various peer groups.
2. Distribute various peer group assignments.
   A. Students will discuss problems, possible solutions and consequences related to involvement in criminal related activities during one class period and assign a team leader to report peer group findings during a second class session.

   B. Students will return to peer group settings to initiate plans for interviewing upcoming guest speakers and criminal offenders both during class presentations and a

DO NOT TEASE OR FEED THE STUDENTS
HOW LONG HAVE WE BEEN HERE NOW?
ABOUT 30 MINUTES

proposed field visitation to a local correctional institution. Students will be given the task of devising questions to determine the causes,effects, consequences, and alternatives to criminal related involvements.

C. Students within each peer group will be assigned a special project which will be completed during implementation of the program such as, but not limited to, the following:
   - filming a law-related presentation,
   - writing a law-related newsletter,
   - developing a scrapbook of law-related program activities,
   - developing a traveling panel to discuss program findings with other students, or
   - developing a skit to role play actual problems associated with inmates in local correctional facilities.

3. Students will interview guest speakers in the classrooms such as lawyers, judges, ex-criminal offenders, police officers, correctional officers, probation/parole officers and other law related employees. Students will rate each guest speaker and write a sentence in the class notebook to justify each rating.

Phase 2 (Week 3)

1. Arrange and prepare for a future visitation to a local jail or prison institution, which will allow students to interview inmates. This component of the program is entitled *A Day Behind Bars* .
2. A tour of a local jail or prison facility.
3. A group presentation by selected inmates which will include local media coverage.

Phase 3 (Weeks 4 and 5)

1. Students will meet in peer groups to finalize plans for special project and to critique the overall field visitation.
2. Peer groups will schedule and present their special projects and critiques of the field visitation to the total group.
3. Selected peer groups may be assigned to make presentations to the other social studies classes within the overall school setting or to travel to other schools to share their experiences.

Follow-Up Activity

Provisions will be made to establish a pen pal system between students completing the program, their parents and selected inmates who will be identified by prison authorities for this pilot program. Inmates selected as pen pals will be able to write letters addressed to the students and their parents via the teacher and school mail upon authorization by the parents allowing their children to participate in this sector of the program. Students will share correspondence with their classmates.*

Evaluation Process

- A standard form will be devised and utilized to evaluate program goals and objectives by all participants upon culmination of the program. Items to be evaluated will be, but not limited to, the following.
- The program's ability to meet its goals and objectives.
- The students' understanding of the consequences associated with criminal related involvements.
- Written feedback from specific audiences such as other social studies classes and groups hearing selected peer group presentations.
- Written feedback from student participants sharing experiences during ongoing pen pal correspondence with selected inmates.

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*Editor's Note: After careful review with administrators, teachers, parents and students, it was decided that the pen pal activity was not appropriate for this age group of students. If at a later date, high school seniors are involved in the program, the pen pal activity may be implemented then.

Juvenile Justice

An Application in School Law: You Be the Judge

Gary Lundeen
High School Teacher
Omaha, Nebraska

Topic

School law as it relates to a specific incident and its implications.

Strategy role playing, case study method.

Objectives

- Students can identify violations of the student code of conduct.
- Students can ascertain which violations will be used by the administration in determining the disciplinary action to be taken.
- Students can determine if policy or guidelines will be used in assessing the disciplinary action to be taken.
- Students can determine which facts are relevant.
- Students can determine the role of the administrator.

Procedures

Divide the class into several small groups. Half the group will assume the role of the administrator and half will assume the role of the student and parent. Instruct the groups to read the case study and code of conduct and determine what disciplinary action should be taken. Indicate that one student should record reasons for the administrative decision and one record reasons argued by the student and parent. Reassemble the class and report each group's outcome.

Alternative Procedure

- gather copies of your student code of conduct
- give each student copy of the case and the code
- review and clarify directions and items if necessary
- assign specific roles
- role play applying your code of conduct to case
- discuss outcome

Possible outcomes include:

- Mrs. Board takes the stand that criminal charges should be brought and the situation should be handled by the police.
- Johnny's Dad's opinion is opposite of Mrs. Board's. He believes his son as an alcohol problem. The parents want to make restitution for damage. They feel a 5-day suspension is ok. They feel that personal problems lead to the incident. They will take action on these problems.
- Mr. Principal believes whenever possible the school should take care of their own problems. He also realizes the school in many ways is a microcosm. He points out the options: counseling, in-school suspension, suspension, explusion.
- Mr. Math agrees that the school should handle the situation, but in the firmest way possible, namely expulsion.
- Johnny's attitude is defensive, and he feels school authorities are out to get him.

Outcome

This role playing situation was used in a tenth grade classroom. Students were not allowed to proceed to make the disciplinary decision. Rather, they reached the point where they could clearly comprehend the complex process involved in such a decision. They saw that students are protected by due process of law, that criminal behavior must be punished, and that punishment may vary as individual cases warrant.

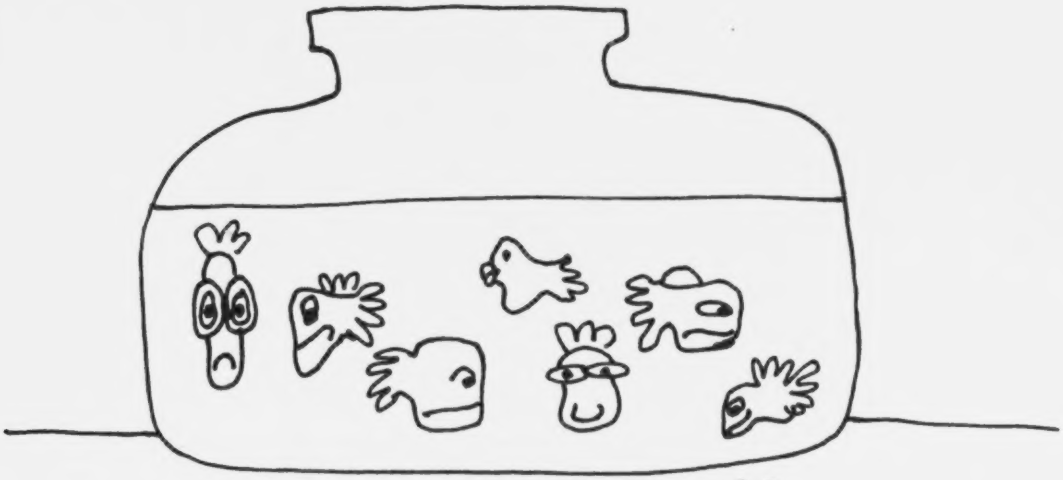
Case Study

At approximately 2:30 p.m. on Thursday, December 10, a Security Aide went to an assistant principal's office and reported he saw a tan and white truck driving around the school building on the north side. About this same time, a teacher on supervision duty near the from door on the south side of the building, told Mr. Guidance she saw a tan and white truck drive across the front sidewalk and the median by the flag pole. Mr. Guidance, the school guidance director, went outside to identify the driver and to try to prevent any further reckless driving on the school grounds. When Mr. Guidance approached the truck that had stopped, it sped away from the lot, leaving the school grounds. Mr. Guidance was able to get the trucks description, noting it had out-of-state plates. He also talked to several students who said the driver was Johnny, an East High student.

Mr. Principal arrived at the front door about the time Mr. Guidance was coming into the building from the lot. Mr. Jones described what occurred. Mr. Principal instructed Mrs. English and Mr. Guidance to watch for the truck to return. Mr. Principal went to the office to check on Jonny's schedule to see if he was cutting classes or if he had checked out. A check of his classes indicated he had in fact been cutting his afternoon classes. Some time was also spent looking for other witnesses to the incident.

It was around 3:10 p.m. when Mr. Math, a teacher on supervision duty at the front door after replacing Mrs. English, reported that Johnny Driver, driving a tan and white truck, with out-of-state plates, had driven up over the curb in front of school and onto the sidewalk. He then drove around a school bus and backed over the curb stopping in a no parking zone. Johnny then came to the front door telling Mr. Math he wanted to get his coat. When Mr. Math questioned Johnny about his behavior and asked him what he was doing out of school, Johnny left the building and got back into his truck. He then drove up over the curb again and struck a marble bench in front of the building, knocking the seat off its foundation. The truck then sped away over the front law leaving the lot and campus.

After talking to Mr. Math about the incident, inspecting the damage, and checking for additional witnesses, Mr. Principal went to his office to contact Johnny's parents. He was able to contact Mr. Driver



WHAT ABOUT OUR RIGHT TO PRIVACY?

and advised him of the incident. Johnny was not at home at this time. Mr. Driver was unable to explain why Johnny would do such a thing, but said he would certainly talk with him as soon as he came home. Mr. Principal told Mr. Driver Johnny would be suspended and that he should bring him up to school Friday so they might question him and give him his formal suspension. Mr. Driver said they would come up Friday afternoon.

Mr. Principal had not heard from Mr. Driver by 3:30 p.m. on Friday, December 11, so he contacted him by telephone again. Mr. Driver said he was unable to come up because something had come up at home. He asked Mr. Driver if he had questioned Johnny about his behavior and the incident on Thursday afternoon. Mr. Driver said it was probably because Johnny had been drinking and that he could hardly stand when he got home. Mr. Principal told Mr. Driver he suspected this kind of problem considering the nature of the incident.

Mr. Principal advised Mr. Driver that Johnny was being suspended on a principal's suspension for 5 days and then would be given a 10-day long-term suspension because of the seriousness of the incident and because Johnny had been involved in other rule violations as well.

Mr. Driver said he felt the 10-day long-term suspension was unfair and that he would appeal. Mr. Principal reminded Mr. Driver that the safety of other students was being threatened and school property had been damaged. They could not consider the incident less than serious.

Mr. Principal informed Mr.Driver he would send the suspension information by certified letter that day. He told Mr. Driver to contact the community counselor if he had any questions and he told him to request a hearing if he wanted to appeal the decision.

Previous Violations: 10/27-Excessive tardies; 11/12-Failure to serve detentions for tardies; 11/24-Repeatedly leaving his lunch tray on his table (not returning the tray to the kitchen window); 11/30-Illegal parking on the grass, non-registered auto; 12/9-Repeated problem of not returning his tray to the kitchen window.

Follow-Up

Invite school personnel, local police authorities, and lawyers to further discuss legal issues with the class.

Juvenile Justice

Juvenile Justice, Delinquency, Gangs: A Bibliotherapeutic Approach

Charles Thomason
High School Teacher
Chicago, Illinois

In 1984 Chicago experienced some of its worst gang violence. There were ninety-eight deaths due to gang related violence. Among them were innocent victims like 17 year old Ben Wilson and 15 year old Santos Martinez.

Ben Wilson might have become a professional basketball player; at six foot eight inches he was already a star forward on Simeon High School's state championship team. He had a chance street confrontation with three gang members and one of them shot him twice in the stomach. He died on Thanksgiving eve and the needless tragedy sent waves throughout Chicago. Elected officials, law enforcement agents, and community leaders were joined by the ordinary citizen in a united call for the development of effective programs to combat gang violence.

Santos Martinez had come with his family to Chicago from Mexico. He was a sophomore at my school, Roberto Clemente High School. Unfortnately, he went to play a video game at a neighborhood hot dog stand, and instead, fell victim to a deadlier game. A gang member, looking for notoriety for himself and his gang, was on the prowl to murder any rival gang member. He spied one entering the hot dog stand where Santos was playing the game. He went into the place and fired off several deadly blasts from his shotgun. He missed his intended victim, but fatally wounded Santos.

Mayor Washington, Police Superintendent Fred Rice, and Cook County States Attorney Richard Daley, as well as the city council and state officials moved to reclaim Chicago's street from youthful gangs and to replace intimidation with safety.

The Mayor established new programs like the Chicago Intervention Network which put social workers on the streets to do crisis intervention work among the gangs in the communities. Special gang crime units in the police and the prosecutor's office were intensifying their efforts and getting results. 1985 saw fewer gang homicide victims (sixty-nine), and gang conflicts and crime also seemed reduced. However, the problem of gang violence has not gone away. The director of security for the Chicago Public Schools further attested to the gang influence upon our children when he said, "we have indications that there are gangs in every school in the city." (*Chicago Tribune*: 12/29/85 p. 14). It is clear that gangs are a part of our children's miliue, and they pose too great a danger to them to be ignored by educators. The schools can be significant in addressing these problems. Our children represent our greatest national resource and they are in grave risk, even deadly danger, from this problem either as victims or victimizers. An effective educational program can demonstrate that we do care about our children and can aid in deterring their involvement with gangs and delinquency.

This course, "Delinquency and Gangs," is an elective law-related education program which awards social studies credit. It is a twenty week class open to secondary level students who wish to develop an understanding of our Juvenile Justice System with the focus on delinquency and gangs.

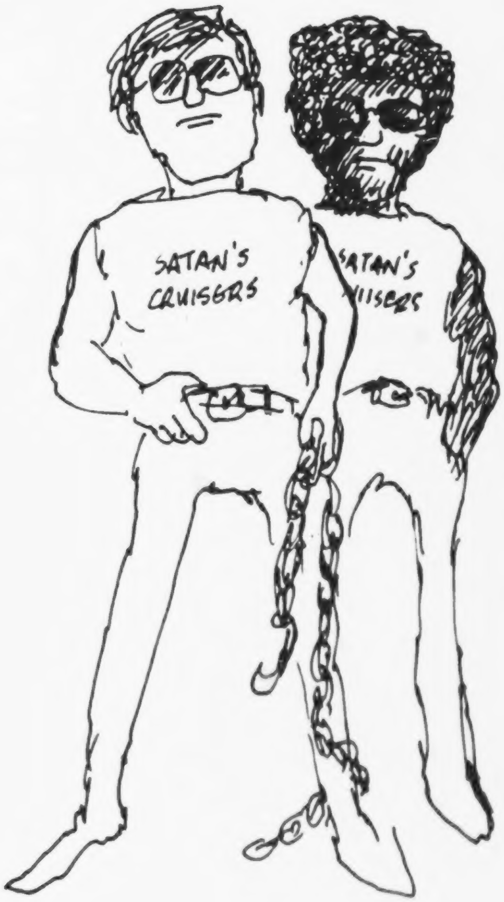
The course begins with a general introduction to the Juvenile Justice System, the Illinois Juvenile Court Act, and in particular, how the system deals with the delinquent minor. Its focus considers both substantive law and legal procedures concerning the delinquent minor and youth gangs involving the police, courts, and correction. Emphasis is also given to demonstrating how the communities are developing grass roots efforts to deal with delinquency and gang matters that affect them and their youth populations. Moreover, in the overview of the program much attention is given to making the members accept their roles as "participants," that is active learners.

This program intends to act as a catalyst between its participants and representatives from the law-related agencies concerned with delinquency and gangs. This is accomplished by having them engage in dialogue sessions on key issues.

Class sessions are varied, consisting of informal lectures, large and small group discussions, role-playing simulations, drama, and mock trials, debates, panels, field experiences, individual research efforts, and workshops with mentor-resource persons utilizing their legal expertise. There is selective use of audio-visuals including pictures, filmstrips, films, music, and music videos. Another significant component of the course is the inclusion of humor and the use of games. Humor and games can be vehicles for healing and trust-building. Non-competitive games from books such as *The New Games Book* and *Playfair* can enable each to develop more self-confidence and raise their self-esteem. They can help develop a more positive sense of connectedness to others and to the group.

The course challenges the participants to embark on an outward learning journey as well as an inward discovery journey. The outward journey permits them to explore the juvenile justice system. Using several texts, they learn about the theories on delinquency, the scope of delinquency, legal and social aspects of delinquency, and treatment modalities dealing with delinquency. They will use the classic study by Fredric M. Thrasher, *The Gang, A Study of 1,313 Gangs in Chicago*, and James B. Jacob's *Stateville: The Penitentiary in Mass Society* to give a historical and sociological perspective on youth gangs. Excerpts of Anthony Burgess's *A Clockwork Orange* are a means for them to consider the psychology of gangs, gang violence, and for them to discuss proper corrective approaches. They keep abreast of current events by maintaining a Legal World, a sort of scrapbook of newspaper, magazine articles with their summaries and analyses. These are useful as springboards for discussion with our legal resource persons during the workshops. Handouts are given to help them learn about the more recent activities of Chicago and the nation's street gangs.

The inward journey for each is towards self-discovery, self-understanding, and towards improving their interpersonal relationships. Methods and materials are used to encourage them to knock down their walls that obstruct communication and to build the bridges that enhance effective, relevant communication between the participants and their significant others. The participants are encouraged to become more meditative and contemplative. To achieve this goal they are required to keep a journal for the program's duration. This personal reflection helps them get more in touch with themselves.



Throughout the program, they are encouraged to develop a dream, a vision for themselves; they are challenged to confront themselves and to commit themselves to new dimensions of self-growth and to creativity. The course should be an experience of enablement and empowerment for each. It is a time for them to realize and to claim their gifts as a result of a structure demanding active asking and active listening, discipline, study, and personal reflection.

Course activities engage the participants in value clarification and in analyzing such values as equality, truth, authority, justice, freedom, privacy, responsibility, and property.

A unique component of this program is its use of bibliotherapy. This art of reading guidance and is an old -new approach. Over Thebes' library in ancient Greece was the inscription, "the Healing Place of the Soul." This bears testimony to the healing effect that reading can have upon a person. In his *Reality Therapy*, Dr. William Glasser stresses the need for youths to grasp reality, to accept responsibility for their behavior, and to recognize possible choices of behavior. Reading can open up the spectrum of choices for behavior. Bibliotherapy has the reader using imaginative literature which can open up the dynamics of life. The readings can be bridges to reality, a route for the reader to contend with personal problems as he or she sees them being dealt with by the characters in the readings. When the reader discusses the characters and the events in the readings, personal concerns can be discovered and expressed safely, and indirectly. The readings permit individuals to be both participants and spectators. From the readings insights into values and behaviors can be gained and decision making abilities can be critically evaluated. The readings can support addressing personal problems and can have a therapeutic effect. They can expand vision of a broader picture, making readers aware of others' involvement and concerns. They can help students develop a more realistic understanding of the environment and can help in exploring attitudes and feelings about life.

A bibliotherapeutic approach is not a panacea, but it can direct the reader to new insights by the readings, offering a wider frame of reference from which to learn. In addition to new knowledge, the readings can empower the reader with new understanding and inspiration.

The reader-writer connection, which can be profound and rich, is further assisted by guided group discussions on the readings. In these group sessions, the interactions between the members can result in many positives. They can breakdown the individual's emotional isolation as each begins to talk about his or her views. As facilitator, the teacher must insure an atmosphere of mutual respect and trust which stimulates the risk taker and protects him or her from embarrassment or ridicule. Through these discussions the members can better understand not only their own needs but also the commonalities and universals that they share with each other and others beyond. This can reduce isolations, validate feelings, and be an encouragement to satisfactorily deal with one's problems.

Bibliotherapy is not just books, it may be expanded to media-therapy. Sometimes a good film can be an excellent prelude to significant readings. For example the film, "Too Late for Me!", is an acclaimed film about street gangs, but more importantly, it was made by high school students. It demonstrates how students can learn from each other which legitimizes their roles as learners-teachers.

The following books will be used in the reading guidance component:

Coping with Cliques by C. Gilbert Wrenn and Shirley Schwarzrock. This discusses memberships in gangs as it looks at the broader picture of everyone's need to belong and what is or is not vital to one's happiness or success.

A Shadow like Leopard by Myron Levo. This is a story about a young Puerto Rican-American who becomes involved with a gang and delinquency.

Durango Street by Frank Bonham. This is a realistic view of those involved in delinquency and those who are striving to reduce delinquency (a sponsor-mentor approach)

The Outsiders by Susan E. Hinton. This novel deals with sibling love, gang conflicts and violence and reveals that a "tough exterior" can be a shield to protect the exposure of anxieties and other feelings.

Several methods of evaluation can be used. Some methods are attitudinal pre and post instruments, written examinations, and indepedent reasearch project on topics related to delinquency and gangs. Participation in the class sessions should also be evaluated.

Juvenile Justice

"Do I Really Need an Attorney?" Children-in-Need-of-Assistance

Teri Wilson
Junior High School Teacher
Ames, Iowa

Audience

This activit is designed for middle school students and/or junior high school students. Select students who are knowledgeable in the area of media equipment and/or filming techniques.

Purpose

After studing and acquiring some knowledge of the juvenile court system, its jurisdiction, and how it works, students will video tape a peer as he/she progresses through a role play simulation of a proceeding for a child-in-need-of-assistance. The video tape will then be shown to all students in the class. This activity is intended to be the culminating activity which usually displays the code provisions and requirements while students meet with the professionals involved in a juvenile proceeding.

Time to Complete Procedure

Before undertaking this activity, make sure your students have a basic understanding of juvenile law and they understand that juvenile courts are designed to protect the child's interests.

The process of organizing and filming each step may take several days. Make prior arrangements with all professionals involved so the desired filming locations and/or settings are available and staged appropriately. Plan on each of the eight steps taking approximately thirty minutes to tape.

Procedure

Assign one student to be the child in need of assistance, and the other(s) to video tape as he/she progresses through the following steps:

Editor's Note: Juvenile court procedure varies in every state. Contact your local juvenile court for steps in juvenile proceeding. In most states, juvenile courts are not open to the public. You will need to receive special reprint permission to videotape a process in the courtroom.

Step 1 — Child being referred to Social Services meets with juvenile probation officer.

Step 2 — Juvenile probation officer warrants that the case needs juvenile court action.

Step 3 — County attorney reviews the complaint and determines there is sufficient legal basis to file a petition. (Petition should explain why the juvenile court is looking into the family.)

Step 4 — Child is admitted to shelter care. An attorney is assigned to the child (guardian ad litem).

Step 5 — Shelter care hearing. Court determines the child should remain in shelter care.

Step 6 — Adjudicatory hearing. Judge hears facts of the case and determines that the evidence supports the allegations.

Step 7 — Dispositional hearing. Judge discusses alternatives to rehabilitate the child and/or family.

Step 8 — Explanation of how the provisions will be monitored to make sure the child's needs are being met.

Evaluation

Encourage the class to discuss the proceedings and the impact each step has in the total process. Emphasize that "best interest of the child" is always of primary importance to juvenile proceedings.

Instruct each student to make a flow chart depicting the sequence of steps involved when filing a juvenile petition.

When students have completed their charts, replay the video tape.

Resources Needed

You will need video taping equipment. You may want to take a media specialist with you, as an assistant, while you and the students film the steps.

You and your students will need to contact a variety of law-related professionals. Explain your activity and purpose. (I have found many individuals willing to participate in order to accomplish the goals of this activity.)

You will need

- Prosecuting attorney
- Probation officer
- Juvenile court judge
- Attorney (guardian ad litem) for child
- Shelter care worker

Ask each law-related professional to role play the specific phase of the proceeding. Each one should explain their role and its purpose while you are filming.

Follow-up

To complete this activity ask your students to invite the professionals involved in the video-tapeing to your classroom. The professionals could take this opportunity to answer questions and give additional information about the process, their career preparation, and their involvement in the community.

Women and the Law

Ladies of the 80's: 1780's, 1880's, 1980's

Nancy Sommer
Elementary School Teacher
Steamboat Springs, Colorado

Audience

Upper elementary students, but adaptable at all levels.

Rationale

- To increase awareness of the laws that have affected women in history, taking a close look at the 1780's, following the United States independence from England; the 1880's, the time of westward expansion, the silver/gold era, and the coming of the Industrial Revolution; and 1980 taking a look at the present.
- To try to understand what inspired women who lived in these eras, and to try to understand their feelings and convictions through their direct quotations.
- To become aware of one's own lives and beliefs, by broadening one's perspectives.
- To explain to students that one's lives are filled with choices and that they must make conscious and productive decisions.

Purpose

People of every age need to be exposed to the history of women, and also, need to clarify in their own minds the strides that have been made *for* women and *by* women in the history of this country.

Time

This could be an open-ended unit. With the adult bibliography, as well as the children's book list, the amount of involvement would be up to the classroom educator and the response from the students involved.

1780's Background Information

When the American colonists declared their independence from England in 1776, the United States Declaration of Independence echoed the famous phrase that "all *men* are created equal and are endowed by their Creator with certain unalienable rights." However, women possessed few rights and had almost no independence. The American colonists based their claims for independence chiefly on common law principles that they had brought with them from England. These common law principles thus became a driving force behind the writing of the Declaration of Independence.

And what about the women under common law? Women couldn't own property or sign wills or contracts without the consent of their husbands. Women could not be heirs. They could not be accorded full property rights of their deceased husbands as heads of the household. Men left their homes and property to their sons, and widows *could* share with the sons. By marriage, the husband and wife were one person in law. That is, the very being or legal existence of women was suspended during marriage. Legally speaking, women died on their wedding day.[1] The woman was covered or veiled by the name and authority of her husband. She could not sue or be made to testify against herself. She could not sue for divorce, except in extremely unusual circumstances. Women ran away instead of getting divorced. If a woman left her husband, she lost all right to her children. Her husband had a right to her property, earned or inherited. Women could not vote. Her husband represented her at the polls and could even be made responsible for criminal acts committed by her in his presence. Women would not go to college, practice law, theology or medicine. A girl's education stopped after grammar school. "They needed little knowledge to 'keep the pot boiling' ".[2]

When the colonists first came to the New World, they had to survive. Women and children, along with men, helped to establish the new colonies. The common laws of England weren't closely enforced because the women needed more rights in order to be productive in the new land. As a situation arose, it was judged in the courts on the basis of what was considered reasonable in terms of prevailing customs and usage. Common law was modified to fit these New World conditions. The relative scarcity of women, in addition to the absence of a professional class of lawyers to uphold the strict common laws, led to a greater leniency of laws towards women. When the men became sick or died, women had no choice but to take over the land and work. These colonial women had the unwritten rights to sue, conduct business, be sued, enter into contracts, and sell real estate in the absence of their husbands. Throughout colonial times, even unmarried women with enough property were able to vote on local issues. Without *formal* political rights, however, colonial women were obviously quite limited in exercise-ing their political influence and fulfilled any civic aspiration through their husband or other males.

There was much less sex-stereotype in the 17th and 18th century than was to become in the 19th century.[3] Women were found in these roles not because the colonial period was less patriarchal, but because they were working with their husbands or in the absence of their husbands. Naturally as there were more and more women, this need declined, and with it, women's legal and socio-economic standing.[4]

The colonists were so carried away by the injustices of taxation without representation that they thought the new constitition should logically ensure the equal rights of women so that they would be represented, too.[5] In 1776, both male and female, hoped that the position of American women would continue to improve. Unfortunately, it did not.[6] The post-Revolution period was one of declining status for women, brought about either by the increase of citizenship rights for men without an equivalent grant to women, or by the actual cutting down on or the elimination of rights which colonial women had exercised. Law practices began to prevail and with that, a closer application of the more conservative aspects of English common law. Bar association and professional training for lawyers were evident before the Revolution, but they increased in their influence, contributing to the even greater legal conservatism after 1776. There was an increasing reliance on the *Blackstone's Commentaries of Common Law*, and thus, a declining legal status for women.[7]

TOO MUCH WORK? NAH. HEY, THIS IS ONE HOUR OF GLORY IN A LIFE OF HEAVY CLEANING!

Quotations from this era:

Abigail Adams to her husband John, the future 2nd president of the United States: "Do not put such unlimited power into the hands of the husbands. Remember that all men would be tyrants if they could. If particular care is not paid to the ladies, we are determined to form a rebellion and will *not* hold ourselves bound by any laws in which *we* have had no choice or representation."[8]

In 1789, one of every four persons was a Negro slave out of 4 million people. One third of these slaves were women.[9] *Angela Grimke* spoke, "What then can a woman do for the slave when she herself is under the feet of man and shamed into silence." *Phyllis Wheatley* (1753-1784) was a slave who was taught to read and write. Most women slaves had no rights at all. They were property and had no right to an education.

Ben Franklin declared, "If women were intellectually unequal to me, it was only because of the limits placed on them by tradition and by inferior education."[10]

Frances (Franny) Wright (1795-1852) urged women to think logically and defend their beliefs with evidence for advancing the cause of American women.

Molly Pitcher (Mary Ludwig Hays) was carrying pitchers of drinking water to the American artillery men, one of whom was her husband, while they were fighting the Battle of Monmouth on June 28, 1778. When her husband fell in battle, she replaced him at the cannon. Before that she had only cooked and washed for the soldiers in the camp. "One hour of glory in a life of heavy cleaning."[11]

The struggle for women's rights is often dated from 1792 when *Mary Wollstonecraft* wrote *A Vindication of the Rights of Women* . She attracted the notion that women existed only to please men and asserted the need for change in the status of women.

Emma Hart Willard (1787-1870) was refused admission to Middlebury College because she was woman. She disagreed with the commonly held view that a woman's brain was smaller than a man's. She started the first institution in the United States to provide a full high school education for girls.

Deborah Sampson Gannett disguised as a man, served as a combat soldier in the Revolutionary War. George Washington gave her an honorable discharge after she was wounded and it was discovered that she was a woman.

1780's Activities

The following collection of activities for the 1780's, as well as those for the 1880 to 1980's lend themselves to a varied selection of teaching techniques: group discussions (small and large group), brainstorming, creative dramatics, research, role-playing, interviews, cartoon/television/movie analysis and problem solving. Group discussions also include the use of task groups, inquiry, and individual participation.

The students will be required to use many skills: creativity, idea generating, responsibility, leadership, listening, evaluating, questioning techniques, group learning processes, inquiry methods, analysis, synthesis, research, speaking, writing, dramatics, reasoning, drawing conclusions, predicting outcomes, comparisons, illustrations, logic, induction, deduction, and judgment.

- Compare the lives of women today with the lives of women in the 1780's. What can you conclude about their rights, education, working conditions, and relationships in a family. How is your life different? Which situation are you more accepting of? Why?
- Choose a common law and make a poster relating your feeling of that law and how it affected women. Be able to show through your illustrations, the women of the era and their response to that law.
- Distinguish between unpaid work (housework) and paid work (outside the home). How are the 1780's and the 1980's similar or different in that respect?
- How might you explain the woman's place in the 1780's and now, reflecting the types of skills that they each have? What laws have helped to make those changes?
- "All men are created equal." Do you agree that "all women and men are created equal" or are women and men different, in respect to the laws?
- Legally speaking, "Women died on their wedding day." Verbalize how you would respond if it meant no voting, no owning of your own car, no home of your own to live in, and no money for you to spend of your own earnings. Your husband would be in complete control of all of the above.
- Role-play a discussion between you and your mother, regarding your future. First of all, role-play in the year of 1780; then role-play in the 1980's. State the reasons why some choices wouldn't be available to you. In 1780, for instance, you couldn't attend college to become a doctor or a lawyer. In the 1980's, look at your choices for the future. College? Trade school? Travel? Work? Marriage? How do you feel about women today still not being able to enter into some fields, for example, women can't be Catholic priests?
- Abigail and John Adams obviously had some conversations about the rights of women. How might things be different if John had listened to Abigail and made a push for women's rights during the writing of the Constitution? Write a short play about their relationship. Explain how their discussions could have altered our lives even today.

- During the Revolutionary War, some women were soldiers. For what reasons would you favor/not favor women being soldiers in our day? Why should women/shouldn't women fight for our country? Are men still "taking care of women?" Form a task group and discuss in small groups this issue.

- One hour of glory in a life of heavy cleaning." React to that statement. State in your own words your feelings of women being raised only to cook, clean, and raise children.

- "Girls need little knowledge to "keep the pot boiling'." How do you perceive the need for education for *all* in the present day economic situation?

- You are a woman who had helped to settle this new country, worked side by side with your husband on your farm, and enjoyed voting for school and town elections. How would you have reacted to fewer rights for women after the signing of the Declaration of Independence, when *supposedly* life would be greatly improved when we were our own separate country under our own laws?

- For what reasons could you agree or disagree with Ben Franklin's quote about the amount of education needed by men and women?

- What would happen if you were told that you were to be a slave for the rest of your life? You might have to work for someone else on a plantation cooking, cleaning, or working in the fields. You would more than likely be separated from your family. Describe your new situation. Would life be fair?

- Research in depth one topic from the 1780's. Use the media center, public library, encyclopedias, etc. to gather your information. You may want to interview other peers or adults to get additional thoughts and opinions. Organize your data and be able to talk about your area of expertise to your class.

1780's Children's Books Bibliography

Dagliesh, Alice. *The Courage of Sarah Noble* . New York: Scribner, 1954. (Ages 7-10). A girl travels

THE RIGHT TO VOTE
BUT, WHY WOULD YOU WANT TO DIRTY YOUR HANDS WITH POLITICS WHEN YOU COULD BE HOME CLEANING THE STOVE?

into the wilderness in 1707 with her father. She lives with the neighboring Indians while her father returns for the rest of her family. She exhibits patience and adaptability. A classic.

Gauch, Patricia Lee. *This Time, Tempe Wick?* New York: Coward, McCann & Geoghegan, 1974. (Ages 7-10). Temperance Wick, a bold, unselfish girl, defies rebellious American soldiers in order to protect her mother, house, and horse during the Revolutionary War.

Grant, Anne. *Danbury's Burning*. New York: McKay, 1976. (Ages 5-8). During Revolutionary times, Sybil Ludington rode through towns rousing them, and warning that the British were coming. This sixteen-year-old Connecticut counterpart of Paul Revere should become better known to students of history.

Harris, Janet. *A Single Standard* . New York: McGraw-Hill, 1971. (Ages 10 and up). Although this book contains a historical approach to the feminist movement, it stresses the sociological and psychological implications more than the history. The book relates to every aspect of women's lives.

Longsworth, Polly. *I, Charlotte Forten, Black and Free* . New York: Crowell, 1970. (Ages 10-12). Charlotte Forten serves as the narrator of this fictionalized autobiography. She meets and works against slavery with many famous people. The fight for women's rights is seen as parallel to and compatible with abolition.

Speare, Elizabeth George. *The Witch of Blackbird Pond* . Boston: Houghton-Mifflin, 1958. Also in paper. (Age 12). Kit Tyler, orphaned as a young teen-ager, decides to leave her native island of Barbados to live with her maternal aunt. The role of the female in Colonial days, as well as the impact of politics and religion, is dramatically described in this book. Women are all individuals.

Turkle, Brinton. *Rachel and Obadiah* . New York: Dutton, 1978. Ages 5-8). Rachel and Obadiah are brother and sister. They live on Nantucket in the 1700's and are Quakers. Rachel has a good self-image; she knows her brother is equal, even in those pre-liberation times.

1880's Background Information

The existence of life on the mining frontier made women extraordinarily dependent on men for physical comfort and safety. The belief in feminine intellectual and physical weakness supported the assertion that women needed men's protection. Married men brought their wives with them, or sent for them. Single women had many chances to catch a husband. What women did, depended on their husband's social class. They were obliged to maintain the family dwelling. Dust, mud, and pollution from the mines and ore mills forced most wives into an endless cleaning battle. Preparing meals took a great deal of time in ill-equipped kitchens. Cruelty, which refers to physical abuse, was cited as the sole cause for divorce. Few husbands were arrested or punished for wife beating. How could they punish the offenders without penalizing the families? Fines and jail sentences usually imposed financial hardships on wives and children who depended on the head of the household. The burden of blame fell most heavily on the wives. How easy for women to get false sympathy![12]

According to some Comstock Lode (a mining camp in Nevada) Antisuffragist, a good woman had all the political rights she desired because of the overwhelming moral influence she exerted on her husband. She was the presiding priestness of the home and if she was gifted and beautiful and womanly, her influence was immeasureable.[13] Women could vote on education and temperance issues.[14]

The west exerted a regressive rather than progressive influence on women's lives. They were virtually hired hands.[15] The movement west was a masculine enterprise, but later offered more for women.[16] The frontier reinforced the traditional roles of the sexes. Mill girls were likely to be potentially far more revolutionary than their rural western counterparts.[17] Yet despite arguments to the contrary, it did enlarge the scope of a woman's place.[18] By 1850, 17 state legal codes granted married women some provisions to purchase or homestead land and own and operate businesses in their own names.[19]

During the 1700's and 1800's, the Industrial Revolution brought great changes to the lives of people in this country. A shortage of men resulted in large numbers of women beginning to work, once again, outside the home. By the 1830's American textile mills were among the first factories to employ women. New machinery reserved some jobs for men, but machines were invented which allowed women to handle masculine jobs at a lower wage.

At first the labor shortage assured women of fairly good working conditions though they worked long hours and earned less than men. Large factories replaced small shops. More people left farming and sought factory work, and, as a result, working conditions became worse and wages dropped. Many women continued to work, even though many men quit, because they had little chance of finding other jobs. The pay was poor and the conditions were less than optimal.

Women's rights movement began to develop during the first half of the 1800's. Various groups debated a woman's role in business, education, the family, and political/social reform. In 1823 *Catharine Beecher* set up a seminary to train women as teachers. In 1835 Oberlin College became the first coeducational college in the United States even though women were offered a watered down literary course.[20] In 1841 they awarded their first degrees to women. *Mary Lyon* argued in 1837 that "Women should have more options than motherhood and teaching."[21]

In 1844, *Margaret Fuller* , in the forefront of the Women's rights movement, stated that "We should have every path laid open to woman as freely as to man," and "Men have the same feeling toward women as towards slaves." It was through the antislavery movement that American women assumed leadership roles in the women's rights movement.[22]

In 1848, two reformers, *Lucretia Mott* and *Elizabeth Cade Stanton* (who was resentful of the fact that women were considered inferior to men) called a woman's rights convention in Senecca Falls, New York. Delegates discussed the rights of women regarding divorce, guardianship of children, ownership and control of property and their own earnings, voting, higher education, and earning a living.

The New York legislature passed a bill in 1848 giving married women the right to own real estate in their own name. It also protected common law property rights of fathers who were worried that sons-in-law would squander their daughter's inheritance. It was designed to protect, not liberate women.

In 1849, *Elizabeth Blackwell* was the first woman to practice medicine. During the next several decades, co-education developed rapidly in the United States. By 1860 many colleges were on a co-ed basis. But, it is one thing to expand and improve woman's education and another to open up the professions for them. As women gained more education and greater opportunities to work outside the home, they began to demand other rights as well.

In 1851, *Sojourner Truth* spoke at women's rights convention in Akron, Ohio. "The man over there says women need to be helped into carriages and lifted over ditches. Nobody helps me into carriages or over puddles, or gives me the best place?and ain't I a woman?"[23]

In 1855, *Lucy Stone's* marriage to Henry Blackwell was a protest against laws that gave the husband custody of the wife's person, exclusive control of children, sole ownership of land and personal things, and rights to her earnings. Lucy kept her own maiden name.

Sarah and Angelina Grimke recognized the connection between the two causes?slavery and women's rights. During the Civil War, 1861-1865, most women reformers both the North and the South abandoned the movement and gave their full support to war activities.

In 1868-1870, the Fourteenth Amendment was passed. Male citizens over the age of 21 were guaranteed the right to vote. The Fifteenth Amendment said you could not be denied the right to vote because of race, color or previous condition of servitude (slavery). All men had the right to vote, but not any women. Thereafter, the women's rights movement directed most of its effort toward gaining suffrage. The main question was, "Are women persons?"

The first woman to receive an accredited law degree in the United States was *Ida H. Kepley* in 1869. Common law had earlier prohibited women from being called to the bar. It was not until 1920 that all states gave women the same rights to practice law as men.

As far back as 1838, women in backwoods Kentucky could vote on school elections. In 1869, women were voting with equal basis with men in the frontier states of Wyoming, Utah, Colorado and Idaho. They had more power in practice than in principle, however.[24] A proposed constitutional amendment granting women the right to vote was introduced every session in Congress from 1878-1919.

Susan B. Anthony (1820-1906) felt women should have political power through the right to vote, economic power through job opportunities, and every legal right to property that men possessed.[25] One argument against suffrage was that it degraded respectable women and the ideal, refined, maternal wife was held up in contrast to suffrage shriekers. In 1872 Anthony and a group of women voted in a presidential election in Rochester, New York. They were arrested.

Carrie Chapman Catt believed that any approach used by the women's movements was politically good if it led women one step closer toward their goal of winning suffrage.

Alice Paul organized a parade in Washington, DC timed two days prior to Woodrow Wilson's presidential inauguration in 1912. Five thousand women marched down Pennsylvania Avenue. The parade turned into a riot, but it drew attention to and spotlighted the suffrage cause. Letters and petitions to Congress came from all across the country demanding that the suffrage amendment be passed.

The Nineteenth amendment finally passed in 1920. *Women had earned the right to vote* .

1880's Activities

- Why did the westward movement attract women as well as men? Would you have been upset with what you found in the mining towns? Draw a mural for your classroom depicting the lifestyles of the western frontier.
- Divide your classroom into four groups: one group to look into the city life of the well-to-do women; one group to look at the city life of the factory working women; one group to take a closer look at the women of the west in the mining town; and one group to look at the women of the West that eventually ended up working the farm land with their husbands. List the different characteristics of each way of life. Identify attitudes, work situations, and dreams of what the typical woman may have had. Contrast lives of these women with today's women. What conclusions can your group draw? What can you generalize concerning the needs and behaviors of the women of each era?
- Analyze this statement: "Mill girls were likely to be potentially more revolutionary than their rural western counterparts." Why would this be so? Brainstorm reasons in small groups. Discuss as a class and further evaluate your conclusions.
- When Oberlin College first became co-educational, women were offered a watered down literary course. Women had to serve the men and boys dinner at the college and only enter into conversations when asked. Compare life on a college campus today with the life at Oberlin in the 1830's.
- "Women should have more options than motherhood and teaching," stated Mary Lyon. In small group discussion, give each group of six students, six minutes to qualify their group response to this statement.
- Write your reaction to the following statement by Margaret Fuller in 1844. "We should have every path laid open to woman as freely as to man." What paths do you want to have open to you as you grow up and make choices in your own life? How are your choices different from the women of these earlier eras? How have changes in the law affected those changes? Be specific. What law and what changes has it made?
- It has been said that comments about Susan B. Anthony, Anna E. Dickenson, and Elizabeth Cady Stanton were more often directed at their unusual dress than their speeches and arguments about women's suffrage. Laws governing women's attire found women clothed in crinoline skirts and padded bustles. These often were so tight that they caused headaches, fainting, nausea, and sometimes damage to vital organs. Should there be more laws in today's society specifying proper attire for both men and women? Break into groups of six and in six minutes come up with a group response.
- "Men have the same feeling toward women as they have toward slaves," sighed Margaret Fuller. Distinguish between the male and female responses toward the issue of slavery and the law.
- Lucy Stone kept her own last name when she was married. Try to predict responses from your family members if you or your new spouse kept a maiden name after marriage.

Responses may refer to your mom, dad, grandfather, grandmother, brother, sister, and other family members.

- Divide your students into small groups and work on the following task. Suppose your class cannot vote in student council elections because the principal said so. He gave no reasons or explanations. He gave you no time to question the decision. Develop a plan within your group about what you could do to change his mind. Carrie Chapman Catt believed that any approach could be used as long as women were one step closer to winning suffrage. Would you use violence or would you be peaceful? Why? How do people go about changing decisions?

1880's Children's Book Bibliography

Alcott, Louisa May. *Little Women* . Boston: Little, Brown, 1968. (All ages). Portraits of four sisters in a loving family, each with an individual personality and a different vision of her future life. A classic.

Blos, Joan. *A Gathering of Days: A New England Girl's Journal* . 1830-1832. New York: Scribner, 1979. (Ages 11-14).

Brink, Carol Ryrie. *Caddie Woodlawn* . New York: Macmillan, 1935. (Ages 9-12). A frontier story of the lively childhood adventures of Caddie and her brothers in the 1860's. Caddie's adventurous and active qualities are admired.

Burnett, Brances Hodgson. *The Secret Garden*. Philadelphia: Lippincott, 1911. (Ages 9-12). A sensitive, assertive girl comes to live in a new place, discovers a secret garden, new friends, and how to care about others.

Burt, Olive. *Black Women of Valor* . New York: Juian Messner, 1974. (Ages 9-12). Tells the stories of four black women who demonstrated their courage and ability.

Sacajawea. New York: Franklin Watts, 1978. (Ages 9-12). Researches the life of the young Native American woman who guided the Lewis and Clark expedition into the Northwest Territory in the early part of the nineteenth century.

Fabor, Doris. *Lucretia Mott: Foe to Slavery* . Champaign, Illinois: Garrard, 1971. (Ages 8-2). The biography of a Quaker woman who spent her life fighting for suffrage and educational rights for women and blacks.

Foster, Jack. *Adventures at Timberline* . Monitor Publications Inc. Denver, Colorado, 1950. (All ages). Stories for chidren about the mining days of Colorado.

Friggens, Myriam. *Tales, Trails and Tommyknockers.* Johnson Books, Boulder Colorado, 1979. (All ages). Stories from Colorado's Past.

Heyn, Leah. *Challenge to Become a Doctor: The Story of Elizabeth Blackwell* . Old Westbury, New York: Feminist Press, 1971. (Ages 9-12). The biography of the struggle of a determined women to become a doctor despite the discrimination evident in the all-male profession.

Hurmence, Belinda. *A Girl Called Boy* . Clarion, Ticknor, and Fields, 1982. (Ages 8-12). A black girl travels back in time to slavery in 1850.

Jacobs, William Jay. *Mother, Aunt Susan, & Me: The First Fight for Women's Rights* . New York: Coward, McCann & Geoghegan, 1979. (Ages 9-12). In an interesting format, the reader is introduced to Sojourner Truth, Susan B. Anthony, and Elizabeth Cady Stanton, the mother of the teenaged narrator of the story.

Meltzer, Milton. *Tongue of Flame: The Life of Lydia Marie Child* . New York: Crowell, 1965. (Ages 12-up). A well written account of the life and times of Lydia Maria Child, who fought for such causes as abolition, women's rights, and rights of Native Americans.

1980's Background Information

Discrimination based on sex is not yet unconstitutional in the United States. To this day, American women have not been included in the Constitution in a way that guarantees them equal protection under the law. The Equal Rights Amendment (ERA) was first introduced in 1923 through the efforts of the National Woman's Party. This amendment stated that men and women must be treated equally by law. Congress passed it in 1972,but it needed to be ratified by two thirds of the state legislatures within seven years. Later the deadline was extended. When the deadline arrived in 1982, 35 of the 38 states had ratified the amendment. It would have made several state and local laws unconstitutional. Critics say that the Constitution already guaranteed equal rights. They felt the ERA would have required women to serve in the armed forces, for example. Supporters of the ERA say that despite the guarantees in the Constitution, women don't receive equal treatment.

The western experiences continued to influence western women's values long after the passing of the frontier. In 1943, a survey of women in the West (compared to women in the North and the South), were better educated, held a wider variety of jobs, were more likely to work outside the home, were less prone to traditional beliefs, were more excited and optimistic about their lives, were more open to change and more likely to approve equal standards for both men and women.[26]

The Civil Rights Act of 1957 insured the right of women to sit on federal juries. However, by 1962 twenty-one states still did not permit them to sit on lower level juries with men. By 1973, women could sit on juries in all fifty states. In the case of *Taylor vs. Louisiana* (419 U.S. 522 (1975) the court ruled that excluding women from juries was unconstitutional. On August 30, 1981, there was an article in the Denver Post that said "More women work for the federal court system than men, a judicial report shows, but men outnumber women 18-1 where it means the most?on the bench." Even today there are very few women judges.

Women's liberation groups work for strict enforcement of laws and regulations that promote women's equality. Most of these groups call for better child-care facilities that would free mothers for work outside the house. Many groups insist that the abbreviation, Ms., rather than Mrs. or Miss should be used before women's names. In the 1970's *Gloria Steinem* , editor of *Ms. Magazine* , turned to Ms. as a way of reaching the liberated women.[27] Liberated women believe there is no reason to have different titles for married and unmarried women. Some women's liberation groups believe that women will achieve equality only through basic changes in society. These groups say men should help with the housework and child-care to free women for work outside the home. They believe such sharing of tasks would result in relationships between men and women based on mutual interests, respect, and affection rather than on men's economic and physical dominance.

"May the law automatically thrust my husband's name upon me when I say "I do"?"[28] In every state you are entitled to be known by any name you choose, as long as you do it consistently and don't do it for fraudulent purposes. Many states require you to indicate at the time you purchase a marriage license, whether you will keep your own name or take the last name of your husband. Some married couples decide to hyphenate their joint names. Title VII of the Civil Rights Act states that a woman is not required to use her husband's surname. Prior to the passing of this Civil Rights Act women could have been suspended from employment if they refused to use their husband's name.[29]

In 1963, *Betty Friedan* published the *Feminine Mystique* . In it she charged that American women were being consciously manipulated, encouraged by society to think of themselves primarily as wives and mothers rather than as people in their own right. Betty Friedan helped form the National Organization for Women (NOW) in 1966. She attacked society for having treated women as second class citizens.[30]

During World War II, all women did everything to help support the war effort. "Rosie the Riveter" was only the symbol for a whole army of women who found themselves employed as lumberjacks, welders, heavy crane operators, and taxi drivers.[31] In 1945 and 1948, there was a need for an Equal Federal Pay Act. After so many women had worked during the war, many were fired as the war ended. The 1950's brought women back home and many had children (the baby boom era) and were happy to be home. "The only right that many of them were concerned about was the right to be loved."[32] Fewer women were going into professions. In 1960, feminism was all but dead.[33] So much of the role of women seems to depend on the work force. When the men were not away at war, there seemed to be very few opportunities for women to work outside of the home.

What were some of the stereotypes about woman working outside of the home? 1) She will not be the breadwinner. 2) Her socioeconomic status will not depend on what she makes, but on her husband's salary. 3) Her career will only last for a short time (because of having children) so it is not worth investing time, money, and energy into training her. 4) A strong career may ruin her chance to marry. 5) She'll take the job away from a man.

As for women who did work outside the home, places of employment were refusing to hire them, refusing to promote them or give them seniority in the same situations where men would be entitled to it. Employers refused to pay women the same as men, gave only women the lowest paying shifts or the lowest paying factory or sales jobs, refused to admit qualified women into management training programs, and refused to let women have assignments that require travel. They would give women editors and writers most traditional subjects to write about such as fashion or society parties, or pregnancy.

Anna Eleanor Roosevelt (1884-1962) stands out with the passage of time as one of the "great ladies." As the wife of President Franklin Roosevelt she was his ears and eyes to many issues focusing on migrant farm workers, shipyard workers, students, housewives, consumer affairs, women's organizations, unemployment and housing.[34]

Title VII of the Civil Rights Act of 1964 prohibits most kinds of employment discrimination based on sex as well as on the basis of a person's color, race, national origin, or religion. An individual who is discriminated against by an employer can file a complaint with the Equal Employment Opportunity Commission, (EEOC). The government may also cut financing for a program or agency that does not end discriminating policies or practices. Title VII has helped wommen throughout this country. However, the sex discrimination was tacked onto the amendment as an afterthought to racial discrimination. Eighty-one year old Howard W. Smith of Virginia proposed the addition of the word, sex, in hopes that it would help Title VII be laughed off the floor. He was a southerner and not against slavery. The uproar has become known as "Ladies Day" in the House. A maid can now be a man!!![35]

The Equal Credit Opportunity Act of 1975 prohibits banks, stores, and other organizations from discriminating on the basis of sex or marital status when making loans or granting credit. Since all credit was in the husband's name, divorced women and widows, after 20 or more years of marriage, were automatically denied credit when it was discovered that they had "no" credit history. Even those who were financially independent were considered

COME RIGHT IN, LITTLE LADY. HAVE YOU COME TO APPLY FOR THE FILING CLERK JOB?
I'VE COME TO APPLY FOR A LOAN TO SET UP MY OFFICE. AND, YOU CAN BEGIN BY CALLING ME "MS" -- NOT "LITTLE LADY."

poor credit risks. After all, there was always the chance they might quit their jobs to have babies or to care for young children.

Women have a right to credit in their own names without regard to their husband's income or credit. This act gives the woman with an income of her own the right to be deemed credit worthy based on her earnings, her history, and her paying of bills. It is the non-discriminatory right to give credit where credit is due. Co-signers can't be required. Each person is now evaluated on the type of job they have. Marital status can't be a factor *to* issue or *not* issue a credit card or charge account. No questions can be asked about children. In community property states you must have the other spouse's signature on the credit application."[36]

As of June 1, 1977, if both husband and wife are authorized, the application must be in both names. Prior to that, credit bureaus had no history that a married woman existed, let alone paid bills. A married woman may have handled all the household finance, budgeted all the family's needs, paid all the bills with her own or joint checking account and, in general, made sure all bills were paid on time; but all was attributed to her husband's credit because of all accounts being in his name. As long as they were married, there was no problem. But after divorce or death, the wife had no legal proof that she'd been responsible for paying a dime. No record existed of *her* ability to pay bills. All accounts were then closed.

The Fair Labor Standards Act of 1938 secured the same minimum wage and maximum hours for men and women, but the laws were not enforced. The word *pay* in the Equal Pay Act of 1963 has been interpreted by the courts as including all forms of payment such as vacation pay, holiday pay, overtime pay, and regular pay. The Equal Pay Act prohibits sex discrimination only as it applies to equal pay for equal work. It is applicable to nearly all private employers as well as federal, state, and local governments. Pension plans were set up as a retirement protection for families of men, not women. The gap of pay differences was wider than the take home pay. It involved benefits as well. In 1967, Congresswoman *Martha Griffith* dramatized the inequity by asking government men, who testified before her pension committee, "Why should I be paying to support your widow, when you aren't paying to support my husband?"[37]

Shirley Chisholm , as a candidate for the Democratic presidential nomination in 1972, stated that being a woman had proved more of a handicap to her career progress than being black.[38]

Much as been gained through years of struggle and controversy. Still, traditional sexist attitudes and prejudices persist in our world today. There have been many laws that have restricted women in their various lifestyles throughout the years. In each era, it seems there are some women who have lived their lives the way they have chosen, regardless of the pressures of society. Let us hope we keep nurturing those elements of personal choice.

1980's Activities

- You are the first woman doctor, the first woman lawyer, the first woman teacher to go into space, or the first woman judge. What is so special about being the first one to accomplish a certain goal? What would you like to do "first."? Explain your scenario. Write a newspaper article about your accomplishments.

- In the 1960's, the statement was made that the only right a woman needed was the right to be loved. Do you agree or disagree? Write a paragraph about your beliefs.

- In a small group, brainstorm what part men can play, if any, in making women more free. Return to the large group and discuss your ideas.

- Cut cartoons out of a newspaper. Write your own slogans under the pictures that might depict a change in a law that affects women, a quotation in our studies that comes to mind, or a topic concerning women's rights.

- Women who have been involved in making political or social changes have often encountered opposition from other women. Enumerate the various reasons why this might happen. Using your research skills, site examples of specific incidences.

- Who should do the housework? Who should take care of the children? Is it women's work? Should men be responsible? These are all issues in the 1980's. Break into small group discussions and draw conclusions on your group's opinions to share in large group discussion afterwards.

- Historically, single women have been labeled Miss, married women labeled Mrs. and, men, either single or married are referred as Mr. As of the last 20 years, Ms. has been added so as not to specify married or single women. Do you feel this may/may not make a difference? Why?
- Is it ever right to deny people choices in a Democratic society? Make a list of how you feel regarding our democratic rights.
- Do you think a woman has to do much better than a man when working on a similar job or in a professional career, to receive equal recognition and/or promotions?
- Do women need to make a choice between having a family and pursuing a career? Can they enjoy both? Does the marriage or the career suffer?
- Write a theme on what you believe makes up the American dream. Should males and females be able to search for the same types of futures?
- Should there be laws about such private matters as birth control and abortion? Should these issues be decided by the woman involved? Should the male in her life have a right to be a part of that decision? Does the woman have the sole right to make her decision and live with it?
- What advancements, if any, are there for women when a country is at war? Use the information on the Civil War, World War I and World War II as a resource.
- The Equal Credit Opportunity Act of 1975 allows women to have credit in their own names. Write a story about a fictious woman focusing on true facts concerning credit availability prior to 1975.
- Through interviews, complete an oral history about a woman in the neighborhood, a grandmother, a woman in a nursing home or a woman from your church. While developing an understanding of the changes that can occur in a lifetime, collect information regarding women. Some suggested questions may be:
    - What are your recollections of childhood?
    - What do you remember about school? Clothes that you wore? Friends that you were close to?
    - How did you pass your time? What hobbies or games did you play?
    - What do you want people to remember about your life?
    - Were there ever disappointments or frustrations that you felt were brought on because you were female?
    - Were there times when you felt the laws restricted you because you were a woman?
    - Do you remember when women earned the right to vote?

    Compile your information and share it in small groups. See what similar kinds of information others may have come up with. Discuss the results. Draw a picture depicting a specific feeling or inspiration that you gained from this activity. Write a letter to the woman that you interviewed and share your results.
- Identify goals you want to accomplish in your lifetime. What barriers do you see that could possibly keep you from reaching your goals? What positive situations could help you attain your goal?
- Be aware of women's roles on television and in the movies. What women can you identify with? Whom would you see as your role model? What is there about her personality or life that you would like to duplicate?

1980's Children's Book Bibliography

Adams, Florence. *Mushy Eggs* . New York: Putnam, 1973. (Ages 5-10). The women in this story are admirable and have several dimensions. The housekeeper-baby-sitter has her own friends and family, and the boys' mother copes well with her computer job and the boys.

Adoff, Arnold. *I Am the Running Girl* . New York: Harper & Row, 1979. (Ages 7-11). Book-length poem about a young woman who loves to run. Other women are shown joyously celebrating their abilities.

Ancona, George. *And What Do You Do?* New York: Dutton, 1976. (Ages 8-12). About the careers of twenty-one people, the book contains excellent photographs. The introduction states that although a woman or a man is shown doing a job, each job can be done by either.

Armstrong, Louise. *How to Turn War into Peace*. New York: Harcourt Brace ovanovich, 1979. (Ages 5-8). A child's guide to resolving conflict and much more. A girl is given equal rights to anger, intelligence, pride, and the ability to resolve a problem by seeing reason.

Baker, Nina Brown. *Nellie Bly, Reporter.* New York: Henry Holt, 1956. (Ages 8-12). An interesting biography of a determined and intelligent woman. Contains telling commentary about early twentieth-century America.

Caines, Jeanette. *Just Us Women* . New York: Harper & Row, 1982. (Ages 5-9). Aunt Martha and the young narrator of the story are about to embark on a wonderful trip where the two of them will do just exactly as they please, and will have a marvelous time. Shows a sense of independence.

Carlson, Dale. *Girls Are Equal Too: The Women's Movement for Teenagers* . New York: Atheneum, 1973. (Ages 11-up). Raises strong issues and presents clear arguments reflecting the feminist position. Good sections on women's rights and job inequality and on the history of women's rights.

Clearly, Beverly. *Ramona the Brave* . New York: Scholastic, 1975. (Ages 8-12). Their mother has begun to work and the girls find themselves facing the problems of "latchkey" children.

Ramona the Pest . New York: Morrow, 1968. (Ages 8-11). Everyone calls curious, lively Ramona a "pest," but she has a different image of the typical little girl.

Gardner, Richard A. *Dr. Gardner's Fairy Tales for Today's Children* . Creative Therapeutics, 1978. (Ages 5-12). Fairy tales rely strongly on patterns and traditions. Typically, the hero is strong and brave the heroine is weak, passive and in need of rescuing. Look at these fairy tales and keep in mind who initiates the action.

George, Jean Craighead. *Julie of the Wolves* . New York: Harper & Row, 1972. (Ages 12-up). An Eskimo girl runs away from an unhappy situation. Living in the frozen wilderness, she courageously makes friends with the wolves and learns their ways. She must fact problems not only of individual survival but also of the changing ways of her people.

Goldreich, Gloria and Esther. *What Can She Be? A Lawyer* . New York: Lothrop, Lee & Shepard, 1973. (Ages 7-12). Parts of the series devoted to describing women in professions formerly considered to be for men only.

Klein, Norma. *Mom, the Wolf Man and Me* . New York: Pantheon, 1972. (Ages 10-up). Brett and her mother are females who do not conform to a stereotype.

Kolbenschlag, Madonna. *Kiss Sleeping Beauty Good-bye* . New York: Doubleday, 1979. Basing her comments on the problems and personalities of Sleeping Beauty, Goldilocks, Cinderella, Snow White?-the author examines their characteristics and interactions and relates them to today's society.

Larrick, Nancy and Merriam, Eve, eds. *Male and Female Under 18* . New York: Avon, 1973. (Ages 8-up). Comments and poems contributed by girls and boys, ages 8 to 18, reflecting how they feel about their sex roles.

Lord, Athena V. *A Spirit to Ride the Whirlwind*. MacMillan, 1981. (Ages 12-up). Set in Lowell, Massachusetts in 1936 during the strike of women workers. Excellent piece of fiction to teach the history of that period.

Maclachlan, Patricia. *Arthur, For the Very First Time* . New York: Harper & Row, 1980. (Ages 9-12).

Arthur, a ten-year-old boy who has always been an observer and a writer, dreads the approaching arrival of a new sibling.

Ness, Evaline, compiler and illustrator. *Amelia Mixed the Mustard and Other Poems* . New York: Scribner, 1975. (All ages). A collection of poems dedicated to all females. Each one of the poems has a heroine at its center.

O'Dell, Scott. *Island of the Blue Dolphins* . Boston: Houghton Mifflin, 1960. (Ages 10-up). Karana, a young Native American girl, is alone on her home island after her people have left. She manages her own survival.

Peavy, Lina, and Smith, Ursula. *Women Who Changed Things* . New York: Scribner, 1983. (Ages 12-up). Well written accounts of nine women who are not very well known, but who, by their talent, determination, and intelligence were able to make a difference in the world.

Seed, Suzanne. *Saturday's Child — Thirty-Six Women Talk About Their Jobs* . Chicago: J. Phillip O'Hara, 1973. (Ages 11-up). Thirty-six wommen who have had successful careers in architecture, theatre, law, carpentry and so on, talk about their training, how they chose their job, and how their jobs affect their families.

Warren, Ruth. *A Pictorial History of Women in America* . New York: Crown, 1975. (Ages 10-up). A useful overview of the role of women in America's development.

Conclusion

Many activities, classroom discussions, role plays, and enjoyable hours of independent reading can be accomplished after browsing over the children's bibliography at the end of each section. Here is just a sample of ideas that may be incorporated into the classroom and the three children's bibliographies.

- Fairy tales rely strongly on patterns and traditions. Discuss the typical hero who is strong, brave, male, and in complete control. The heroine is usually weak, demure, passive, in need of being rescued, obedient, and usually ends up with the greatest reward of all — to be a bride and live happily ever-after. Who initiates the action? Write your own fairy tales where the women have more assertive roles. Be sure to have a copy of *Richard Gardner's Fairy Tales for Today's Children* available.

- Many of the books listed are classics and have withstood the test of time. They have universal appeal and are products and reflections of their times and should be thought of in that light. Examine the expectations of males and females with the historic time frame that the classics portray.

- Change the characters in the book, rearrange the story accordingly, and analyze those changes.

- Have the children match their parents and family with various characters that are found in these books. What can they learn about themselves and about dealing with real-life situations that may occur?

- Have the students discuss the ideal parents that may be found in children's books. What are the ideal characteristics that they admire?

- Observe the people's relationships in the story. Were there any unusual characters? What historical topics may have come up regarding women?

- Notice especially the female characters. Were they assertive? Did they have a sense of adventure? Did they show strong emotions? Did they have a sense of the various options available to them?

Evaluation

- Did some students who are usually quiet participate openly in the activities?
- Did the situation that prompted the discussions seem to be better understood by the participants after the process was completed?
- Did the role players take their roles seriously? Did they portray life-like situations?
- How well did the students discuss the information that was being covered? Were they actively participating?

- Were the students able to *answer* various kinds of questions? Did the students learn to *ask* different levels of questions?

- How well did they solve problems within their task group? Were the students able to stay on task and deal with the assignment?

- Ask students to each choose a favorite woman that was studied. Draw a picture of this woman or what she represents to the student. Next to, or included in, the drawing make references to the important things that were learned about her and her accomplishments. Include the reasons why she was chosen. Do not put her name on the paper. Later, when everyone has finished his/her art work, exchange papers and see if the other students can identify the woman by the information that has been displayed. This would be a valuable learning tool, as well as an evaluation technique.

- Evaluate the usefulness of some laws concerning woman and why laws are necessary. Impress upon the students that laws change when attitudes change. Have a group of students do a creative dramatics presentation showing the importance of laws. What would the world be like if there were no laws?

- As a language arts writing assignment have the students evaluate the unit themselves. Use these questions as a guideline:
    - What did I learn about women, history, laws and the growth of our country?
    - Did I enjoy this unit? Why or why not?
    - What things, if any did I feel were unfair?
    - What laws or attitudes towards women upset me?
    - What laws gave a positive feeling towards women and their lives?
    - In what ways will this unit of study help me, as a woman, or as a male living with women?
    - What have I learned about decision-making and choices?

Additional Resources Adult Bibliography

Books

Alexander, Shana. *Women's Legal Rights* . Wollstonecraft. 1975.

Bird, Caroline. *Born Female* . David McKay Company, Inc. 1968.

Cohen, Martha. *Stop Sex Roles in Elementary Education* . A handbook for Parents and Teachers. Hartford, 1974. Suggestions for helping children deal with stereotyping.

Cott, Nancy F. *Root of Bitterness* . Documents of Social History of American Women. New York: Dutton, 1972. Social History of women in the Colonial period — 20th century.

Ellis, Anne. *The Life of an Ordinary Woman* . University of Nebraska Press, 1980.

George, Carol V.R. *Remember the Ladies* . New Perspectives on Women in America 1600-1800's — Syracuse, NY, 1975.

Goldman, Marion S. *Gold Diggers and Silver Miners* . Prostitution and Social Life on the Comstock Lode. University of Michigan Press, Ann Arbor, 1981.

Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co., Inc., 1976.

Kanowitz, Leo. *Women and the Law: The Unfinished Revolution* . Albuquerque, University of New Mexico Press, 1969.

Kraditor, Aileen S. *The Ideals of the Woman's Suffrage Movement* , 1880-1920. Norton, 1981.

Lynch, Jane Shay and Smith, Sara Lyn. *The Women's Guide to Legal Rights* . Contemporary Books Inc. Chicago, 1979.

Myers, Sandra L. *Westering Women and the Frontier Experience* , 1800-1915. University of New Mexico, 1982.

Orlich, Donald C. et. al. *Teaching Strategies. A Guide to Better Instruction* . Lexington, Mass. D.C. Heath & Co., 1985.

Rudman, Masha K. *Children's Literature: An Issues Approach*. 1984, Longman, Inc.

Sachs, Albie. *Sexism and the Law*. Joan Hoff Wilson. Free Press 1978.

Wortma, Marlene Stein. *Women in American Law*. New York, Holmes and Meier, 1985. vol. I colonial times to New Deal. vol. II from New Deal to present.

Videos

Woman in American History. Women's struggles for justice and equality and their contributions to American life through memorable vignettes from the lives of outstanding women and excerpts from speeches and writings; vividly reveals discrimination in law, politics, religion, education, and work.

Part 1: The Colonies: Daily life, Anne Hutchinson, Salem witch trials, Margaret Brent, Revolutionary activities, Abigail Adams.

Part 2: Crisis of Identity: Conflicts; discrimination in education, employment practices, law, media; Eleanor Roosevelt, Betty Friedan, Shirley Chisholm.

Part 3: After the Revolution: Pioneer hardships, the industrial revolution, the factory woman, the plight of the slavewoman, southern life.

Part 4: Slavery and Suffrage: Abolition activities leads to feminism, the first woman's right convention, Susan B. Anthony, Lucretia Mott, Lucy Stone, Harriet Beecher Stowe, Civil War, the struggle for the vote.

Part 5: The Artist: Dorothea Lange, Martha Graham, Louise Nevelsom, Buffy St. Marie, Gwendolyn Brooks.

Part 6: Reformers: Immigrants, city life, Dr. Elizabeth Blackwell, Jane Addams Hull House, sweatshops, the Women's Trade Union League formed, Mother Jones organizes mine workers.

By Doreen Rappaport and Susan Kempler, available through Educational Activities, Inc., Freeport, New York 11520

Filmstrips

Heroes and Heroines of the Great West

-1976

New Horizons for Women

-1975

Notable Women of the United States

-1978 National Geographic

Movies

American Parade: We The Women — 1974

Narrated by Mary Tyler Moore, the film dramatically traces the history of the women's movement from colonial times to the early 70's.

The American Woman: Portraits of Courage — 1976

Highlights the careers of 10 American women who fought to establish, preserve and expand America's liberties from the Revolutionary times.

Anything You Want To Be — 1971

A high school girl is trying to make her own decisions and is torn between her own ideas and those of her parents, teachers, counselors, and society in general.

Deal Me In — 1978

Provides women with role models for finding rewarding careers in skilled trades.

The Eleanor Roosevelt Story — 1965

A remarkably penetrating and moving documentary of the woman who has been called the "spokeswoman" for the conscience of the world.

The Fable of He and She — 1974

Poking fun at traditional male and female roles.

Free To Be — You and Me — 1973

Marlo Thomas and friends sing and dance their way through four acts exploring the stereotyped expectations of society.

Helen Keller and Her Teacher — 1970

The persistence and determination needed to make Helen a person are admirably portrayed.

Jade Snow Wong — 1976

As a fifth daughter of a traditional Chinese family living in San Francisco during the 20's, Jade had two tasks — study hard and respect her father.

Lucy Covington — 1978

As an active Indian leader and spokeswoman, she tells the story of her people.

Never Give Up — Imogene Cunningham — 1975

The charismatic Imogene talks about her career as a portrait photographer.

One Fine Day

Sixty black and white still pictures of 19th and 20th century women in this country.

Other Women Other Work — 1973

A number of women who are working in traditionally male fields are shown.

Pictures Out of My Life — 1973

This film is based on an Eskimo woman's self-illustrated autobiography.

Sewing Woman — 1983

A universal story about one woman's determination to survive.

Some Will Be Apples — 1974

Examines the lifestyles, feelings, expectations of mid-western pre-suffrage women.

Take This Woman — 1971

The study of the need for equal employment opportunities.

We, The Women — 1974

Traces the American women's movement from 1608 when a wife could be purchased for 120 pounds of tobacco to the present.

Whole New Ballgame — 1973

Adolescence is a trying and confusing time, especially when children begin to redefine their roles.

A Woman's Place — 1977

Documents the many American women whose courage and daring helped to change the concept "a woman's place is in the home" to "a womans place is anyplace".

Women's Rights — 1974

A high school girl wants to swim on the boy's team, but there are state laws which prohibit this.

Women's Rights in the Labor Force

Did protective legislation help or hinder women's progress in the labor force between 1850 and the present?

Footnotes

1 Bird, Carolina. *Born Female*. David McKay Company, Inc. 1968, p. 16.

2 Jacobs, William Jay. *Women in American History*. Encino, California, Glencoe Publishing Co. Inc., 1976, p. 27.

3 Sachs, Albie. *Sexism and the Law*. Joan Hoff Wilson. Free Press 1978, p. 71.

4 Ibid, p. 71.

5 Bird, Carolina. *Born Female*. David McKay Company, Inc. 1968, p. 23.

6 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976.

7 Sachs, Albie. *Sexism and the Law* . Joan Hoff Wilson. Free Press 1978, p. 71.

8 Bird, Caroline. *Born Female* . David McKay Company, Inc. 1968, p. 23.

9 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 11.

10 Ibid, p. 16.

11 Ibid, p. 18.

12 Goldman, Marion S. *Gold Diggers and Silver Miners* . Prostitution and Social Life on the Comstock Lode. University of Michigan Press, Ann Arbor, 1981.

13 (Territorial Enterprise, August 11, 1877)

14 (Territorial Enterprise, May 21, 1880 — the most influential newspaper on the lode in Virginia City).

15 Myers, Sandra L. *Westering Women and the Frontier Experience* , 1800-1915. University of New Mexico, 1982, p. 238.

16 Lillian Schlissel, "Women's Diaries on the Western Frontier," *American Studies* , 18, Spring 1977, p. 94.

17 Robert V. Hine, *The American West: Interpretive History —* Boston 1974, p. 174.

18 Sandra L. Myers. *Westering Women and the Frontier Experiences* , 1800-1915, University of New Mexico 1982, p. 240.

19 Ibid, p. 258.

20 Bird, Carolina. *Born Female* . David McKay Company, Inc. 1968, p. 22.

21 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 22.

22 Alexander, Shana. *Women's Legal Rights* . Wollstonecraft. 1975, p. 34.

23 Bird, Carolina. *Born Female* . David McKay Company, Inc. 1968, p. 25.

24 Ibid, p. 17.

25 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 48.

26 ""Was the West Different? Values and Attitudes of Young Women in 1943"?*Pacific Historical Review 47* , August 1978.

27 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 270.

28 Alexander, Shana. *Women's Legal Rights* . Wollstonecraft. 1975, p. 10.

29 Ibid, p. 15.

30 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 263.

31 Ibid, p. 255.

32 Bird, Carolina. *Born Female* . David McKay Company, Inc. 1968, p. 35.

33 Ibid, p. 36.

34 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 252.

35 Bird, Carolina. *Born Female* . David McKay Company, Inc. 1968, p. 31.

36 Alexander, Shana. *Women's Legal Rights* . Wollstonecraft. 1975, p. 194.

37 Bird, Carolina. *Born Female* . David McKay Company, Inc. 1968, p. 65.

38 Jacobs, William Jay. *Women in American History* . Encino, California, Glencoe Publishing Co. Inc., 1976, p. 268.

International Law

World Peace through International Law: Students' International Court of Justice

John McGeehan
High School Teacher
West Islip, New York

Audience

The program is designed for the junior and senior high school student, grades seven through twelve. It is hoped that the international court may eventually be an activity for world studies at the elementary level. The program would be most appropriate at the senior high school level as the social studies content of grades ten through twelve correlates with the components of an international court of justice. Students of American History, Asian and Latin American History, European History, International Relations, Sociology, and Current Events would find the studies of their individual courses to be in congruity with the activities of the court. It should be noted that law students would be a necessary resource because of their expertise in courtroom procedures. The end result of such a varied audience-participants combination will be an exchange of information and talents that will enrich all involved in the program.

Courses of Study

- U.S. History
- World History (European, Asian-African, Latin American)
- Culture Studies
- Sociology
- Law Studies
- International Relations
- Current Events
- Speech, Public Speaking Studies
- Political Science

Purpose

This program focuses on the world's attempts to resolve international disputes in a reasoned and legal manner. There has been a tremendous growth of international law since World War II, and the world has been brought closer together as a result of advances in communication and transportation. However, international law has failed to keep pace with technology and the problems it has presented. This program will help to further the student's understanding of international law by examining the goals and the problems obstructing international cooperation.

The goal of international law is to accommodate peaceful change through a legal system which is respected by the world's many communities. As technology advances and total annihilation becomes an ever present reality, the student must understand that if nations are not able to coexist through a system of law which enables them to deal with international conflict and differences, the study of local, state, and national legal systems becomes meaningless.

This program will center around the use of a students' international court of justice which will not only hear contemporary problems, but will also rule on anticipated problems of the future which are global in nature. Students will develop international law to meet the changing conditions of the planet and experiment with changing the structure of the present international justice system to improve its efficiency. High school students may find the legal system at the international level both unfamiliar and overwhelming at the outset. However, participation in the decision-making process will result in an awareness that preservation of the world's civilization requires participation and contributions of the world's populations.

Materials and Resources

The student court classroom would provide the setting necessary to conduct the international court of justice. The school auditorium may also be used to accommodate a larger gathering. Current periodicals and resources for research would be available in the school and local libraries. Nearby university libraries may be used to acquire resources not available in local facilities. It would be helpful if the school library had publications from the United Nations, International Court of Justice, and various journals concerning global affairs. Teachers from the various teaching areas involved in the operation of the students' court would be asked to debrief and comment upon the sessions in a team-teaching format. One suggestion for this part of the program would be a post-pleading panel of teachers to respond to questions and decisions of the participating students. Probably the greatest resource would be the students themselves. The talents of the participants from the different classes would be quite diversified and allow an exchange of information and ideas that would be beneficial to all. The court itself would provide the means for such an exchange.

Procedure

The procedure involved in the students' international court of justice program can best be presented in a step-by-step manner which is chronological in nature. The listing of the proceedings will also address the participants and their individual roles. It must be understood that the actual pleadings before the court and the ensuing opinions will be the culmination of research and preparation in the individual classes which has addressed a specific situation. The following steps will make reference to the hijacking of the TWA airliner at Beirut Airport and the following hostage crisis as an example of how the court would work.

Timeline

Although the court would be quite workable with past cases and global conflicts, contemporary issues would allow the greatest amount of participation from various courses of study. As most school years are divided into four quarters consisting of 10 week periods, this may provide a very natural framework for bringing issues to the court.

Selecting the Issue

At the outset of each quarter, teachers from the related areas of study could come to an agreement on the selection of an issue to bring before the students' international court. It would be advised to survey the opinions of the students as to what they felt was the most significant issue involving international law and global stability facing the world at that time. Some examples of issues are mining of Nicaraguan harbors, aid to Contras, Geneva talks and nuclear balance issues, fighting over the Falkland Islands, outbreaks of terrorism, violation of human rights in El Salvador, Iraq, Iran, South Africa, Guatemala, and so on.

Once the selection of an issue has been made, a brief will be distributed to all interested students and individual preparation would begin. All students who will be involved in the program will begin research into the background which discusses the specific situation as well as its relation to international law. Individual teachers would be expected to review with the students some of the major events during the course of the crisis.

Selection of Students

The selection of students to fill necessary roles would follow the initial briefings and research. Although roles do not have to be delegated according to the class the student is enrolled in, it would be advisable for the first hearings of the school year. As students become more familiar with the workings of the court, cross-class assignments would be encouraged.

Sample Issue

The following example is a role selection using the TWA hostage crisis. International Court Justices The 15 judges will include five from the permanent members of the Security Council and representation that will include members from Latin America, Europe, Africa, Asia, and North America. For the students' international court of justice hearings, there will be justices from those countries immediately affected by the decisions of the court. Student justices may be selected from history classes, law classes, culture studies, international relations, or sociology classes. They will be expected to research and understand not only the issue at hand, but also how their respective countries would view that issue.

Opening Statements

Ambassadors, political leaders, faction leaders, and so on may present the opening statements including positions and pleas to the court. In the TWA hostage crisis these people may include Secretary of State George Shultz, Shiite leader Nabih Berri, Israeli Prime Minister Shimon Peres, and Syrian President Hafez Assad. Students from history classes, political science classes, international relations, current events, and speech-public speaking classes would qualify for such roles.

Witnesses and Legal Authorities

Witnesses may include legal experts in international law, political leaders, ambassadors, military personnel, those directly involved with the alleged violation such as passengers of TWA airliner.

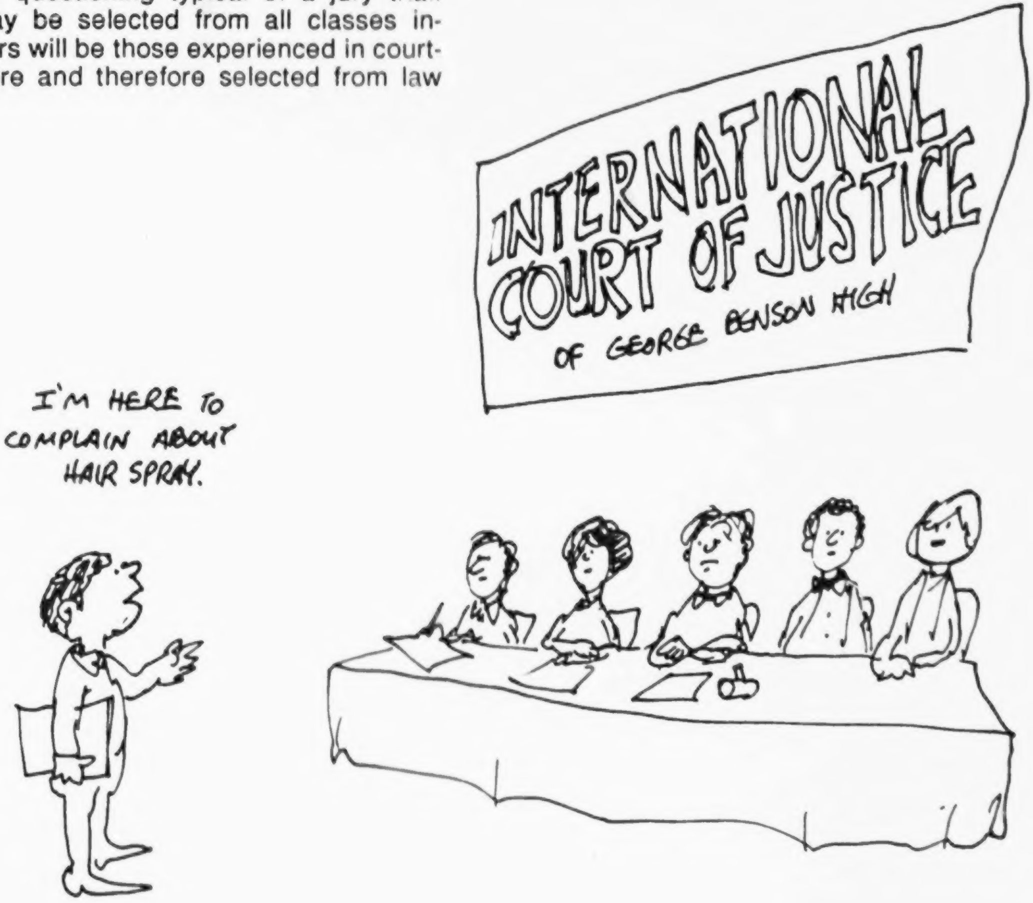
There will be some variation of the actual workings of the International Court of Justice in that lawyers will be allowed to examine witnesses in a direct-cross style of questioning typical of a jury trial. Witnesses may be selected from all classes involved. Lawyers will be those experienced in courtroom procedure and therefore selected from law classes.

Juries

Once again, the students' international court may adapt to the size of the individual school and the number of students involved. Although the International Court of Justice is an appellate type court, the student model may select students from various classes to sit as a jury, hear the evidence presented, and decide upon guilt. Of course, the 15 judges would still be required to offer their opinions concerning the international law at hand and provide settlement.

Media personnel

In addition to a court reporter who will record the proceedings, journalists may be assigned to report on the hearings. Prior to the opening of the court, the journalists, (possibly from an English class), will be selected and will be identified by the nation they represent. These journalists will be encouraged to be familiar with not only the issue at hand, but the positions taken by their respective governments


INTERNATIONAL COURT OF JUSTICE
OF GEORGE BENSON HIGH
I'M HERE TO COMPLAIN ABOUT HAIR SPRAY.

which result in a national slant in their reportings. The releases of the court reporter and the journalists will be used to report the proceedings of the court in local and school newspapers.

Procedures — Students' International Court of Justice:

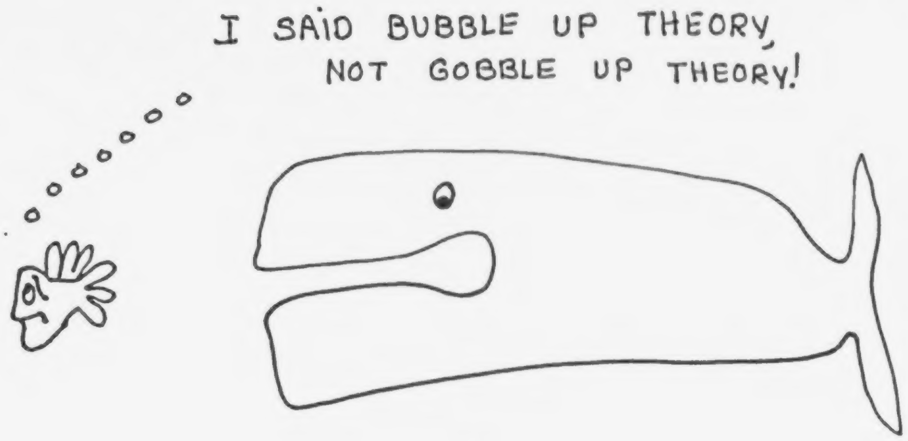
- Memorial-Couter Memorial (Opening statements)
- Examination of witnesses
- Closing arguments to the court
- Decision of the jury (optional)
- Written opinion/advisory opinion of the justices

Time

As previously stated, the four ten-week blocks of the typical academic year may be used to determine the number of issues to be presented to the court during the course of the school year. The actual session of the court may take two to five days, allowing one day for a rehearsal of sorts. It may be conducted as an assembly during the school day, an after school activity, or an evening event open to parents and the public. A follow-up period of one to two days would be necessary to report the transactions of hearings and to allow the students to question a post-pleading panel of teachers involved with the exercise.

Evaluation

- Have the students been responsible for their individual roles in the program?
- Is there a greater awareness and understanding of the specific issue which has been presented to the court for consideration?
- Has the concept of international law been presented in such a way that all involved in the program have a better understanding of the goals, procedures, and problems associated with an international system of legal ethics?
- Have the teachers involved in the program been able to contribute their individual strengths effectively to the program?
- Has there been an exchange of talents between the students that has resulted in students teaching students?
- Have the problems confronted in dealing with the present system of international law encouraged the students to suggest changes to better deal with the dilemma of global stability?
- Finally, have the students and teachers involved in the program discovered that it is crucial to the survival of the planet to look beyond our own localities, states, and national borders for cooperation among the global community? Do they believe that this cooperation is essential to world peace when total annihilation is an ever-present possibility?


I SAID BUBBLE UP THEORY, NOT GOBBLE UP THEORY!

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International Law

Conquest—Constitution—Compromise: Considerations in Designing the Treaty of Guadalupe Hidalgo, 1848

Sally Noe
High School Teacher
Gallup, New Mexico

Audience

Eleventh and twelfth grade students

Introduction

In conflict resolution the Constitution of the United States has been the buffer between the adversaries. Few realize that the Constitution is reflected as well in treaty making following military action. National purpose has shaped our history, while the Constitution and its expressed concern for the rights of citizens has established the direction of national attitudes when negotiating the peace. Thus, throughout our nation's history conquest has been tempered by adherence to the constitutional principle of responsibility toward the individual. Although subsequent events may alter interpretations of the original intent of the document, the Constitution of the United States is the ultimate bulwark that responds to the rights of all individuals within or beyond our national borders.

This group activity lesson concerning the Treaty of Guadalupe Hidalgo, 1848 involves the student in making decisions that will affect individuals within and beyond our borders in a historic context. Student decisions may differ from the original document, however, understanding of the process will enhance their perception of subsequent international relationships.

Objectives

- To apply reasoning skills to constitutional knowledge
- To identify national policies following military conflict
- To examine the positions of two autonomous adversaries and reach a single position through compromise
- To participate in decision making skills
- To compare agreed upon decisions with decisions found in an original document drawn at the end of international conflict
- To interpret the impact of the provisions of the Treaty of Guadalupe Hidalgo upon our national history
- To apply the interpretations to events following acceptance of the negotiations

Subject

U.S. History, Government, World History

Time

Four to five class periods

Materials

Handout One: A map of the Mexican states in 1847. (Map of the Mexican States, 1847 published by John Disturnell, New York, N.Y.) The map should be duplicated for all students.

Handout Two: Description of the political situation following the War with Mexico and questions to be considered by members of the Treaty Commission.

Handout Three: Worksheet for group decisions on issues (included).

Handout Four: The Treaty of Guadalupe Hidalgo. (New Mexico Historical Documents, pps. 10-20.) This document should be duplicated for all students. Have several dictionaries available to define terms.

Procedure

Day One

1. Divide class into two teams. One will represent the Treaty Commission from Mexico, the other the United States. Positions can be drawn by random rather than appointed.

2. Instruct each team to divide itself into groups of three.

3. Distribute Student Handouts 1 through 4 to each student. Explain that they are to read the material that precedes the questions and look at the map before attempting to answer the questions. They are to answer the questions as a group, write answers on Decision # 1 and Student Handout 4 and take them to the general meeting the next day. Reminder: They are to attempt a reasonable answer and one that will be agreeable to citizens of their country.

Day Two

1. The groups representing Mexico and the United States meet together to discuss their ideas and arrive at a single answer for each question. The answer may incorporate several answers. The majority must agree upon the answer. The final decision of the group is to be written in Decision #2, Student Handout 4.

2. Students in each group are to choose the following spokesperson/s.

   Mexico: Senior Luis Cuevas
   Senior Bernardo Couto
   Senior Miguel Atristain
   United States: Mr. N. P. Twist

Day Three

1. The representatives of the two countries meet to submit their proposals, question by question, to the other side. The rest of the class, still in representative groups, are to act as advisors for changes that will be satisfactory to both sides. The spokesperson cannot change an answer without consulting the representatives. The final answers should be written on the board and copied onto Student Handout 4, Revision #2. The boundary is to be marked on the student maps. Note: students have already marked the map twice in all likelihood, so be sure to have a common type of marking. Agreement must be reached before continuing on to the next question.

Day Four

Continue through half the period. If students have not completed all questions you may wish to continue. If you decide to stop at this point, distribute the two copies of the Treaty of Guadalupe Hidalgo, 1848 to each team. They may divide the material to be covered before the beginning of the period the next day.

Day Five

Discuss the similarities and differences between the student process and the actual treaty. Reasons for the similarities and differences should be explored. A board chart may be helpful.

Evaluation

Students should write an opinion paper concerning the activity and the decisions reached.

Resource Materials

Student Handout One (available upon request from CRADLE)

Student Handout Two

The War with Mexico is over. United States forces occupy Mexico City and all major population centers south of the existing United States border. The United States now claims the Rio Grande as its southern boundary. Supplies for the United States troops are enroute to the occupied areas of Mexico. Both northern and southern senators are concerned about these new lands that are south of the Mason-Dixon line. President Polk of the United States hopes to negotiate a new boundary without annexing all of Mexico. Most Americans do not believe that the people of Mexico want United States citizenship. Much of the territory in question is unexplored and there may be vast opportunities for agriculture and trade.

****

You are a member of the Treaty Commission and will help your country's representative reach an agreed solution to the following questions:

1. How will the occupation be ended and the government of Mexico be restored?
2. How will United States forces be withdrawn from Mexico and how will the blockade be ended?
3. How will prisoners and captives be exchanged?
4. Where will the permanent boundary between the two nations be established?
5. What provisions should be made for travel and trade between the two countries?
6. How will citizenship of the Mexican people within United States boundaries be decided?
7. What will be done about the continuing raids of the "wilde tribes" when they cross the border as they have done in the past?
8. What will be the status of the Pueblo people who are citizens under the Mexican government?
9. Will payment be made to either side for land, lives and/or material goods?
10. How will military goods be disposed of and will they be taxable?
11. What provisions should be made if there are disagreements in the future that lead to another military confrontation?

****

You should consider some time limitation as you prepare your answers and the total Commission must agree upon the terms to be presented by your spokesperson/s.

Student Handout Three

Question	**Decision**	**Revision #1**	**Revision #2**
1. Occupation			
2. Troop Removal & Blockade			
3. Prisoner Exchange			

SENOR, IT APPEARS THAT YOU'RE PROPOSING TO TAKE ALL THE WET PARTS AND LEAVE US ALL THE SAND, CACTUS, AND DRY PARTS.
TREATY

4. Boundary
5. Travel/Trade
6. Citizenship
7. Raiders
8. Pueblo
9. Payment
10. Taxes
11. Future Policy

Student Handout Four

Background Information on the Treaty of Guadalupe Hidalgo

The Treaty of Guadalupe Hidalgo, which was signed on February 2, 1848, is perhaps one of the most controversial documents in the history of New Mexico and the Southwest. Certain points should be considered in the discussion of this treaty. Remember that this is a period of the concept of *Manifest Destiny* in the United States and the spreading idea of *Imperialism* throughout the European nations.

Prior to the signing of the Treaty of Guadalupe Hidalgo, the United States Marines had occupied Vera Cruz and marched into Mexico City, the capital of Mexico. Many midwesterners felt that by occupation of the Mexican capital, Mexico was truly a defeated nation and by the rules of war, the United States would be justified in claiming the entire Mexican nation. Despite the urgings of many people, the southern Senators killed the proposal. This seems a strange action on the part of the South, for this would have added land below the Mason-Dixon Line (the slavery dividing line) and would have eventually meant increased representation for the southern cause. However, southern Senators feared they would be blamed for support of the Spanish-American War and the added expense of occupation.

In the final settlement the United States did not annex all of Mexico, but rather only the borderlands. In effect, Mexico was forced to sell some territory, but this disagreement had arisen before the actual fighting started. The United States agreed to pay $15,000,000 (the same as the Louisiana Purchase) to Mexico for the lands north of the Rio Grande. Our government also assumed unpaid and validated claims which American citizens had against Mexico ($3,250,000). The United States received clear title to all of the area Texas claimed as well as cession to the territory which is now Nevada, Utah, California, Arizona, New Mexico and part of Colorado. The boundary would follow the Rio Grande northward to the southern border of New Mexico, west to the headwaters of the Gila River, west to the *confluence* with the Colorado and across California to a point one league (about 3 miles) south of San Diego.

This hazy line left the Mesilla Valley in New Mexico (around Las Cruces) in dispute.

Mexican citizens residing north of the line could choose to leave New Mexico for Mexico if they wished. The Mexican government offered them homesteads. Nearly 2,000 did accept the offer, but most of the people decided to stay. All the people in the new territory had one year to choose citizenship—Mexican or American. According to the Treaty of Guadalupe-Hidalgo, if they chose American citizenship, they would not only have the rights and duties of all other American citizens, they would have some special privileges because of previous Spanish and Mexican customs, language, law and religion.

Article X—the portion concerning land grants—was taken out of the original Treaty. Under this article the United States would agree to accept all prior and pending titles to all property. This could have meant that all land, Indian and true grants, would be cross claimed by those who chose to remain in the United States. Also, the policy of absentee ownership, as practiced in both Spain and Mexico, could continue to plague the claims offices and mean that wealth of the area would continue to flow into Mexico. Many of the owners of the ancient mines and the large land grant heirs no longer lived in the borderlands, but had moved to Mexico City, or at least farther South. True claims often conflicted with the actual residents of the land who had farmed the area for generations. Papers had been lost, destroyed or not registered. Even church records, often the only accurate record, were incomplete.

Problem

Thus the executive agreement of the Treaty of Guadalupe Hidalgo was meant to settle all land disputes in the borderland area. An executive agreement is not permanently binding, however. Thus the court disputes over who actually had rights to the property have raged for years.

By the terms of the Treaty the United States acquired from Mexico a huge land territory, with few people and rich resources. The blame for the continuing problems does not fall upon one nation or the other. The United States, with a surprising show of strength, took advantage of Mexico in that young nation's most chaotic era. The Spaniards had previously taken advantage of the disorganization and military weakness of the Indians to conquer those same borderlands and keep the French or Russians from occupying the vast area.

The alternatives to both the War with Mexico and the Treaty of Guadalupe Hidalgo present some interesting "might-have-beens." Remember that Mexico had been a state of chaos and revolution for twenty-five years, and this would continue for another twenty.

Consider the Following "Might-Have-Beens":

1. With the continued revolution in Mexico, the lack of protection against the increasingly hostile Indians, the contact with the United States traders, guns, protection, and improving living conditions due this contact, the northern frontier would have soon been lost to Mexico, one way or another.
2. Texas would have been required to continue as an independent buffer state between the two large neighboring nations, and would still have claimed the land to the Rio Grande—thus dividing New Mexico between Texas and Mexico with the boundary up the Rio Grande. Many land grants would then have been located in the nation of Texas.
3. England would have had a clear field in California—due to claims by Sir Francis Drake and other English adventurers. Thus, California, Washington, and Oregon would have been southern extensions of Canada.
4. New Mexico and what is now Arizona might have followed the Rebellion of 1837 by creating "Iztlan", a small buffer nation between Texas and English California. This weak state would then probably have been defeated by either of these and become a weak state belonging to either the nation of Texas or the English Empire. Probably, because of geographic factors, Texas would have been the major power in search of new lands.
5. Finally, at the end of the Civil War, the small nations between the United States and Mexico would have made this nation less concerned about the French occupation of Mexico and the Empire, supported by Napoleon and his victorious troops would even today be a foreign protectorate. Would other nations have followed her lead to parcel out all of Central America and South America? What of the Monroe Doctrine?

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Disturne II's Treaty Map: The Map that was Part of the Guadalupe Hidalgo Treaty on Southwestern Boundaries, 1848. New York, 1847.

Ellis, Richard N., ed. *New Mexico Historic Documents* . University of New Mexico Press: Albuquerque, 1975.

Guadalupe Hidalgo: Treaty of Peace, 1848 and the Gadsden Treaty With Mexico, 1853 . Tate Gallery: Truchas, N. M. 1967.

Note: The Tate Gallery publication is cross-referenced and includes court summaries that have come before state and federal courts. Price: $3.50 plus 12 cents tax.

Tate Gallery
Box 428
Truchas, N.M. 87578

Conferences and General Courses

A Student Coordinated I.S.S.U.E. Conference

Linda Skidmore
High School Teacher
Northport, New York

Audience

The conference is open to all students, grades eight through twelve. A program of this nature could be presented at both junior and high school levels.

Purpose

- Students develop skills necessary for coordinating a conference on contemporary legal issues for their peers.
- The conference consists of workshops on contemporary legal issues and serves as a forum for students to exchange information on relevant topics.
- Student participants will analyze and evaluate this information through discussion.
- Participants will establish a working partnership between a local university and the high school (a conference was held at Hofstra University in 1985).
- Students and staff involved in the experience will increase their awareness and understanding of the issues presented.
- The conference will encourage other schools to implement similar conferences.

Time to Complete Procedure

A program of this magnitude will take at least five to six months to complete.

Suggested Timeline

September/October

- Students design survey
- Students elect six to eight topics based on survey results
- Students decide on what topic they wish to research
- Committees representing each topic or issue meet to begin plan of action
- Students confirm date and conference site

November

- Invitations and registration forms mailed to schools
- Student research continues
- Identify and confirm keynote speaker

December/January

- Student registration committee meets
- Trial run of workshops and debriefing
- Design a program for printing
- Design conference evaluation form
- Visit conference site, notes on room locations, and so on.

February/March

- Signs made for workshop doors, directions, and other relevant instruction
- Attend to last minute details
- Complete registration packets for each participant
- Hold I.S.S.U.E. Conference

April

- Summarize evaluations and suggestions for future conferences

Procedure

1. Students develop a survey to identify contemporary, controversial legal issues of interest to students. For example, topics identified for one I.S.S.U.E. conference were:
   - Drinking, Driving ... Who's Liable?
   - Students Rights
   - The Media: How Far Will They Go For a Story?
   - Our Youngest Victims...Child Sexual Abuse
   - The Right to Privacy vs. AIDS
   - To Live or Not . . . Suicide
2. Students are assigned to committees to begin research on selected issues and brainstorm creative ways of presenting information.
3. Students and teacher secure a conference site, date and times.
4. Student coordinators draft a letter of invitation, and registration form and send to schools.
5. Members of student registration committee collect returned forms and are responsible for setting up registration area on day of conference.
6. Envelopes for each participant include program, evaluation form, name tags and any information pertaining to workshops for which they pre-registered.
7. Students visit conference site for purpose of logistical planning, arranging for refreshments, and so on.
8. Conduct ongoing meetings with student committees to discuss and evaluate their progress.
9. Hold trial runs, dress rehearsals, and feedback sessions.

MAYBE HE'S GOT A RIGHT TO SLEEP IN CLASS, BUT DOES HE HAVE A RIGHT TO SNORE?
ZZ
ZAWP
SNORT
ZZZ
ZZZZ

10. Complete all visuals such as charts, posters, necessary for each workshop.
11. Create a conference information sheet for student presenters including, date, time of departure, room assignments and all other pertinent facts.
12. Present workshops at the conference.

Evaluation

Students design an evaluation form for all conference participants, collect them at conclusion of conference and summarize results.

Students write a self-evaluation of their role in I.S.S.U.E. Conference.

Materials/Needed Resources

- Current information on legal issues being presented
- Keynote speaker from legal field
- College campus or other area capable of hosting 500 students
- Person in charge of video taping the conference events.

Follow-Up

Review video tape of conference with students. Debrief entire experience and hope for a few thank you's.

Conference and General Courses

The Law, Society and You — A Summer School Program

Ronald Ritchie
High School Teacher
Marion, Iowa

Introduction

Over the last three years the social studies faculty at Linn-Mar Community High School in Marion, Iowa has been engaged in a concerted effort to develop and infuse concepts of law-related education into every departmental course offering. In addition, department members, with the assistance of local law firms, have initiated student mock trial teams and a Law Mentor Program. The school district and kindergarten through twelfth grade social studies program at Linn-Mar place great emphasis on students becoming informed citizens possessing the skills necessary for effective participation in a democratic society.

Purpose

We believe that making available to students in grades six through eight a concentrated examination of our legal system is one way of advancing these essential goals. *The Law, Society and You* is a program designed to introduce upper elementary through junior high students to the history, structure and operation of the American legal process. Major emphasis is placed on the role of law in the lives of young people. Role play activities, computer and class oriented simulations, guest speakers such as local representatives of law-related occupations, field trips to local law firms, courts, and law enforcement facilities, and the creation of a mock trial are utilized to provide hands-on experience in learning about the law. Students learn why we have laws and about the origins of our legal system. They examine how laws are enforced and explore the role and function of our court system.

Some of the activities and field trips included in the course require concentrated blocks of time to complete. Therefore, it was decided the most ideal place to include this program in our curriculum was in the summer school program. This would allow students the opportunity to meet for an average of two hours per day over a three week period, providing flexibility for longer sessions on field trip and class simulation days and shorter sessions on other days. It should be noted, however, that school systems that do not have summer sessions could adapt *The Law, Society and You* to their curriculum if they have short or interim courses, exploratory programs, modular scheduling, or regular LRE classes as long as extended class periods can be built in occasionally.

Objectives

Three considerations guided our thinking as we developed objectives and selected materials for the course. First, the focus was to be on how the law could, or possibly does, have an immediate impact on the enrolled students. Second, we wanted to ensure that locally available resources could be used effectively. Finally, in order to make the law "real", we sought to maximize student involvement.

Major Themes

The course is divided into three major themes. Each theme is developed and explored before moving on to the next. The themes are Why We Have Law, The Law At Work in Our Community, and The Law in the Court Room: A Mock Trial.

Why We Have Law

This portion of the course is built around selected lessons and activities found in the *Law in Social Studies* series developed by the Constitutional Rights Foundation (CRF), Los Angeles, California. Each of the three titles in this series that are used in the course, *Of Codes and Crowds: The Development of Law, To Promote the General Welfare: The Purpose of Law* , and *The Crime Question: Rights* *and Responsibilities of Citizens* , consists of a student reading/work book and an instructor's manual. These materials are suited for use by both junior and senior high school age students. They are designed to develop critical thinking and decision making skills and provide ample opportunity for students to interact through simulations, role play, brainstorming, and group discussion.

The Law at Work in Our Community

There are numerous resources available in any community when planning the curriculum for this theme. In this part of the course we attempt to maximize contact between our students and people who work with the law. The following listing of some activities we have considered should stimulate additional ideas for other local programs

Visit to a city or county jail or state correctional institution

Visit to a local legal services office

Participate in a police ride-along program

Visit a court to observe a trial or other legal proceeding

Visit the offices of a local law firm or have attorneys come in and discuss their profession with students

Have school administrators discuss the legal implications of the school environment and the rights and responsibilities of students

Use the role play activities in the *Jury Game* or *Police Patrol* game produced by the CRF.

Have police officers or attorneys come in to assist students in these activities. An excellent source for ideas and activities that might be used in this part of the course is *Criminal Justice In America* available from the CRF.

The Law in the Court Room: A Mock Trial

The final week of the course is devoted exclusively to preparations for a mock trial held on the final day of class. On trial day a three hour session is recommended to allow for ample time for preparations, the trial, and a critique. A number of good mock trial simulations are available through publishers of social studies materials. Social Studies School Service of Culver City, California carries several mock trials in their annual Law and Youth catalog. The key to a successful mock trial experience is thorough preparation and a sound understanding by students of the role that each participant plays. An invaluable tool for this activity is the Street Law Mock Trial Manual published by the National Institute for Citizen Education in the Law, Washington, DC.

Summary

The Law, Society and You is not designed to make students legal experts. Hopefully, it will provide them with an introduction to the fundamental role law plays in each of our lives, and have some fun in the process.

Conferences and General Courses

Project J.U.R.Y: Join Us — Responsible Youth

Carol DiStefano
High School Teacher
Brooklyn, New York

Introduction

This program is designed and developed to bring law-related education into the entire school and the community. One week is set aside as Law Week and includes one evening, Law Night. The events and programs offered during this time span will largely depend on the ability of the students, the needs of the community and the availability of outside resources. The goal of Law Week is to showcase your law program, attract interest community wide, raise issues, honor and recognize supporters of law education and generally provide a good time for all.

Audience

Middle schools, intermediate schools, junior high schools, grades six through nine.

Purpose

The purpose of this program is to closely involve the community with your law classes by:

- Introducing your program to the community
- Showcasing the achievements of your students
- Recognizing the achievements of your community leaders
- Creating a forum for the advancement of law-related issues, information and instruction
- Utilizing the school as an extension of the community
- Creating positive role models for the twelve to fifteen year old student

Time

Three months of preparation is needed to plan and prepare for these activities.

Procedure

The following steps are recommended for preparing Law Week and Law Night (the first week in May is traditionally set aside as Law Week). Set up a timetable.

Sample Timetable

February —	Design Law Week and Law Night format
	Prepare mailing list
	Prepare a list of guest speakers and guest presenters
	Select possible awards recipients
March —	Select specific activities for students to work on, research and prepare
	Mail out personal letters to local politicians, community leaders, police departments, schools, administrators, school boards, parents associations, and so on.
	Prepare flyers and posters
April —	Rehearse students for their activities
	Prepare program guide
	Begin room preparation
	Contact local news media.

Law Week and Law Night

Law Week

Each day of Law Week law classes will invite other classes in the school to participate in law-related activities. A trial would be a typical activity. Send out jury notices to the invited class. Set up court calendar. Prior to law week select trial, assign roles, collect and correct student work, rehearse four to five periods.

Law Night

One evening of Law Week is set aside for parents, community leaders and guests to view first hand and participate in law-related projects, activities, trials, forums, and so on. Part of the evening should be set aside to honor members of the community who have shown dedication to the education system.

Evaluation

Law Week

Each class that visits the law class may be asked to fill out a survey sheet on the facts and evidence they considered before reaching a verdict. Similar sheets may be used to get student reaction to other daily events such as a film, guest speaker.

Law Night

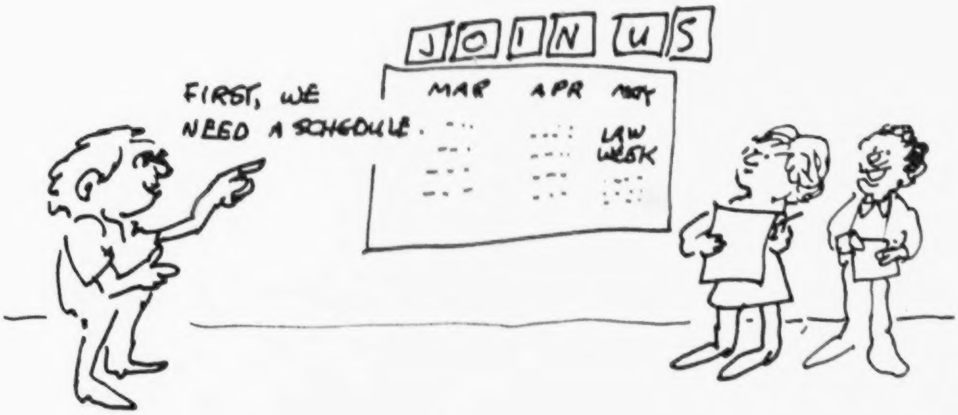
Community groups and parents may be asked to comment on the activities by way of a sign-in book, a mail-in form, or as part of the activity itself.

Materials

Invitations, awards, refreshments, posters, flyers, robes, gavels, court room setting, additional props and equipment depending on variety of activities presented.

Follow-Up

- Send thank-you letters to visiting guests and classes
- Arrange for law classes to visit other schools, using some of the special activities or follow-up lessons.
- Mail out additional law-related materials to interested teachers and administrators.
- Prepare a showcase in school of photographs and other Law Week and Law Night memorabilia.
- Prepare follow-up lessons and trials for in-house use.



Conferences and General Courses

Framework for the Law Elective: Mainstreaming Law-Related Opportunities in the Local Curriculum

Brian Swayze
High School Teacher
Niagara Falls, New York

Audience

Kindergarten through twelfth grade students

Purpose

This basic approach to infusion of law-related education has been used successfully in the Niagara Falls public schools. Community leaders across the spectrum came together sixteen years ago to design a program called "Law and You(th)." It is the concept that keeps us going in our educational community. New York State has recently approved a new Regents Action Plan that now requires class of 1989 students to take Economics and a course generally titled Participation in Government. It is within this framework that we desire to introduce law-related education.

A one-semester course featuring guest speakers would work wonders. The speakers might be spread out over a full year using Thursdays for the guest and Fridays as follow-up days.

Procedure

Provide students with background information on the laws and customs that make up our legal system, our legislative system, and our executive branches of government. Unit titles, with guest speakers, could include The Constitution, The State, The Community, Police Agencies, Agencies of Help, Other Community Concerns, and The Courts. Local resources and accessibility to state resources will determine the list of possible speakers for each unit. The size and range of services offered by various agencies effects the range of available speakers.

Evaluation

Each speaker to appear before the class should be evaluated by the members of the class. When speakers are introduced they should sign-in with their names, and titles so that students may start their evaluation on the right note. A sample student evaluation form follows:

Speech Appraisal Sheet

Student's Name:

Title of Speech:

Oral Grade:

Outline Grade:

Rater's Initials:

Comments, If Any:

Speech Appraisal:* 1 2 3 4 5 6 7 8 9 Specific Comments

1. Introduction
2. Clarity of Purpose
3. Choices of Words
4. Bodily Action-
   Gestures, Posture
5. Eye Contact,
   Facial Gestures
6. Vocal Expression
7. Desire to be
   Understood

8. Poise, Self-control
9. Adapting Materials to Audience
10. Organization of Materials
11. Conclusion

*1 = Poor, 2 = Very Weak, 3 = Weak, 4 = Fair, 5 = Adequate, 6 = Good, 7 = Very good, 8 = Excellent, 9 = Superior.

Follow-up

A thank-you note always helps. Our school was able to make use of the creative juices of the print shop and run off recognition certificates to present to speakers and/or to mail to them following their presentations.

Conferences and General Courses

Development of An Honors Course in Law at the High School Level

Robert Fabiano
High School Teacher
Biloxi, Mississippi

Background

Biloxi High School is initiating an honors program for the academically gifted (*Excel Program*). The Social Studies Department has chosen law as its department elective to challenge the gifted students. We initiated a course in law last year for the advanced students. This advanced level course will be upgraded to the gifted level by accelerating the self-pacing requirements and by requiring more extensive practica.

For a number of years, Mississippi has had an approved course in law on the books. However, applications of the course turned out to be low level. The reason for the low level of the course was teachers like me. Our social studies teachers did not have the education or experience in law to teach anything but practical law.

Therefore, the decision was made to try professional attorneys as the instructors. This past year (two semesters) has proven that the concept is valid. It works and works well.

Those readers who may wish to employ the teacher as producer and attorneys as teachers technique must be forewarned. It will work only if the school and teacher have the total support of their local bar association. Scheduling of twelve to sixteen attorneys for fifty days of lectures is a difficult task because of the dynamics of attorneys' schedules. When a scheduled attorney had to cancel at the last minute, the bar came to the rescue.

Audience

Advanced and academically gifted seniors and selected juniors. Students selected for last year's course were the same students eligible for advanced courses in English and government. Primary selection criteria was a high level of academic achievement in previous year's classes.

When the gifted program is established those students will be members of the total gifted program requiring a minimum I.Q. of 120.

Purpose

- To familiarize advanced and gifted students with the world of law
- To emphasize the discipline involved in the law
- To introduce trial procedures (through the Mock Trial Practicum), legal research procedures (through the legal research practicum), and basic criminal justice procedures (through the case review practicum)

Time

The course runs for one semester, twice a year.

Procedure Used to Establish the Course

1. **Basic proposal**

   The basic proposal for a course in law was submitted in 1980. No action was taken until our mock trial team proved the academic and public relations value of legal training.

2. **Course Curricula**

   The basic units of the course are those found in college law schools.

3. **Selection of Textbooks**

   Southwestern Publishing Company's six texts on *Personal Law* were selected not only for content, but for the reading level and features.

Previous research found individual law textbooks to be either non-comprehensive (covering only one of the units versus all six) and either too low of a level or written for college or prelaw students. Because the six textbooks are paper covered, they are not on the state approved list. Therefore, we had to use local funds to purchase the sets of books.

4. **Logistical Coordination (Recruiting the Attorney-Instructors)**

Fortunately, because of our previous success representing our county's bar association in mock trial competition, the contacts were already there.

There was no trouble matching the lessons/units with professional attorneys. In fact, at times we had too many volunteers.

We ended up recruiting our mayor, a lawyer, to teach Introduction to Law, along with this teacher (Introduction is about as far as I could go with my meager knowledge of law); our superintendent and assistant superintendent as well as our school board attorney to teach School Law; practicing attorneys to teach Contract, Family and Tort Law, and two county prosecutors to teach Criminal Law.

We scheduled the course during our lunch hours to facilitate some of the attorneys' schedules.

5. **Practica — The course includes three practica, one for the entire semester and one for each term.**

- **Semester Practicum — Legal Research**

We utilized the resources of our legal community to effect this portion of the course. Pairs of students were matched with legal firms that had their own libraries. The students were required to visit their mentors after school hours, at least once per week until their worksheets were completed. Attorney-mentors were requested to point to the right stack, rather than to find the cases required. All students completed at least 90 percent of the problems on the worksheet. The research assignments/problems were gleaned from: Statsky, William P., *Introduction to Paralegalism*, St. Paul: West Publishing Co., 1982, pp. 569-572. Students were given five points for each of the twenty problems solved.

- **First Term Practicum — Mock Trial**

We used the National Institute for Citizen Education in the Law, *Street Law Mock Trial Manual* for both procedure and cases. The only thing we changed from the manual was the scoring sheet. The Observation Sheet in the manual did not facilitate competitive grading.

Students were divided up into four teams of four members. Each team had two attorneys and two witnesses. Students volunteered for their roles. Each team had to perform as both the plaintiff's side and the defendant's side. In the second semester's class, two members of the state championship competition team were in the class. They were used as coaches rather than competing against the intramural teams. From this intramural activity, we were able to recruit two law class students for our competition team.

- **Second Term Practicum — Case Review**

Students were divided into two teams. One represented the prosecution and the other one represented the defense. The teams were required to write a complete comprehensive review of a recent, local criminal case. One team wrote the review from the standpoint of the prosecution, and the other from the standpoint of the defense. Students experienced difficulty obtaining the required data, especially from the police, until they received help from two of our local prosecutors, who are instructors in the course.

Evaluation

There was no formal evaluation made during the year. It would have been difficult for an outsider to evaluate what was going on because of the lack of precedent. The teacher was not teaching, other than handling attendance, administrative tasks and testing. The most meaningful evaluation was completed by the students who critiqued their course.

Materials Needed

Other than the student textbooks and routine administrative supplies, no other materials were required. The teacher obtained a few reference texts such as *Black's Law Dictionary, Street Law Mock Trial Manual, Reader's Digest Family Law.* For the most part, the attorney-instructors brought their own reference materials and handouts for the students.

Follow-Up

This year, the level of the instruction and self-pacing requirements will be raised slightly to accommodate the gifted students as compared with advanced students who took the course last year.

Summary

Overall, the course was a huge success beyond my wishful expectations. There are a few gliches to smooth over, but no more (even less) than one finds in routine government classes. As a result of this course, the bond between our school (academia) and our bar association (legal community) were strengthened. We work well together.

Attachments*

1 - Course Calendar

2 - Course Schedule (for attorneys)

3 - Original Proposal

4 - Program Design

5 - Course Outline

6 - Instructional Plan (w/Lesson Plan Covers)

7 - Textbook Index/Description

8 - Letter to Attorneys

9 - Semester Practicum — Legal Research

10 - Street Law Manual Index

11 - Mock Trial Scoring Sheet

12 - Term Practicum Case Review

13 - Student Critiques

14 - Instructions For Student Activities

15 - Term Examinations

16 - Lecture Transparency Masters

*Editor's Note: Due to space constraints, the attachments are not included but are available upon request from CRADLE.

Conferences and General Courses

Individualized Law-Related Education Projects

Susan McLaughlin
Elementary School Teacher
Longmont, Colorado

Audience

Sixth grade students

Purpose

Have sixth grade students create a law-related lesson to teach to primary grade students.

Procedures

This project involves a pilot group of sixth grade students from one elementary school who work on special individual projects dealing with law-related education. It requires talking with the principal of the school. First, the project is explained to the class. After students volunteer, letters are sent to the parents of the students, explaining the project and asking permission for their students to participate. After permission has been obtained you meet with the students as a group to discuss their projects and present ideas. Some suggestions for projects as are follows:

- Students choose and read a book about a law-related topic and prepare a lesson using the book. The lesson would be presented to students in the primary grades.

- Students could prepare a lesson on a law-related topic such as stealing, vandalism, or shoplifting. Materials would be student-made, possibly using audio-visual materials.

- Students could do a presentation to their own classmates and other sixth graders on either a law-related topic or a person working in the legal field such as a judge or a lawyer. They could take slides, orally record comments, or develop other ways of sharing their information with other students.

After the initial meeting with the students, meet with them again about a week later to brainstorm the various project ideas. Students will be encouraged to contribute their ideas for other students' projects.

After students have chosen a project, meet with them individually or in a group to help them do research in the library, order audio-visual items or arrange visits to places or to see people. Some of these activities will have to be done after school or on Saturdays (thus the need for parental permission).

Students are given various target dates for completion of their projects depending upon their complexity and any other time constraints which they may have.

Materials

The project used ""Donald Duck's Crime," a 16 mm film from Walt Disney Educational Media Company, as a stimulus to have students create lessons. The lessons included questions, role plays, word searches and crossword puzzles. Other films, filmstrips, books with law-related themes could be used.

Summary

There are several positive results of this individualized peer teaching project. It encourages creativity in students. It puts students in the role of teaching law-related concepts. It allows for the use of a variety of social studies and language arts curriculum materials.

Conferences and General Courses

Law Related Education...The Results of Administrative Support*

Daniel Tanoos
Elementary School Principal
Terre Haute, Indiana

The role of the Administrator in implementing law-related education is essential to how effective the program will operate in the elementary school.

Law-related education is alive and working in the Vigo County School Corporation due to the work of key people within the school system. Two schools, Greenwood and Davis Park Elementary, were chosen as pilot schools for implementing LRE during the 1985-86 school year. The Elementary Curriculum Coordinator, the two principals, and three trained LRE teachers formed a committee to work on planning LRE for their two schools.

Committee meetings were held to discuss how to in-service teachers at the two schools on LRE, how to spend grant money from the Indiana Criminal Justice Planning Agency, and how to involve community resources in our quest to make law education a success.

In-service sessions were held at both elementary schools with the committee presenting the law kits from Law in a Free Society, Calabasas, California that were purchased with the grant money.

A Saturday meeting was held for all staff members from both schools and central office personnel. Teachers received a $40 stipend for attending this workshop. Teachers who attended received appropriate Law In A Free Society kits for their classrooms. Lunch was provided by the Law Wives Organization.

If the central office personnel and school principal take charge of the LRE program, and present the information in a positive fashion, staff will be supportive of the ideas. The administration must paint a positive picture of the program and this attitude will be contagious to staff.

The following list contains many of the activities dealing with LRE that took place in the classroom.

First Grade Level

- LRE kits used — *Responsibility, Justice, Privacy*
- Stories were written.
- Pictures were drawn to illustrate experiences related to the LRE concepts.
- Children wrote rules to try and prevent problems from happening.
- Children explained a responsibility that each of their family members have.
- Children role played various acts of responsibility.

Second Grade Level

- LRE kits used — *Justice* and *Responsibility.*
- Children wrote stories.
- Children discussed justice and how it affects our lives.
- Children wrote paragraphs describing personal responsibilities and how they carry them out.
- Children drew pictures to illustrate their various responsibilities.
- Children made books to show what classroom responsibilities they need to be working on.

*Dan Tanoos was an elementary school teacher who was notified that he had been named principal while attending the SPICE I Institute.

- School personnel came into classrooms to explain what their responsibilities are at school.

Third Grade Level

- LRE Kits used — *Responsibility*
- Discussions were held about responsibility and how it affects our lives.

Fourth Grade Level

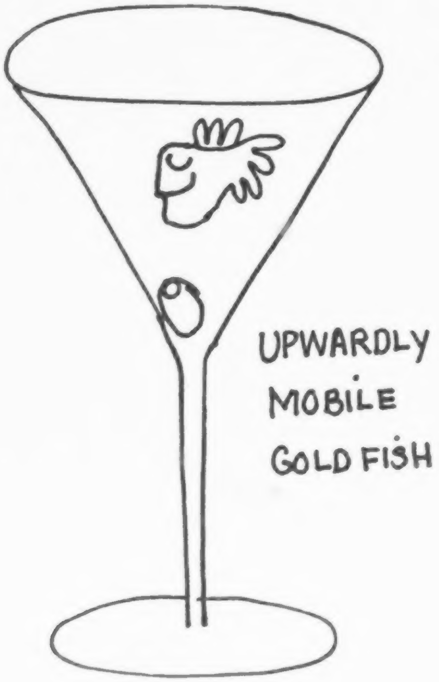
Same as above

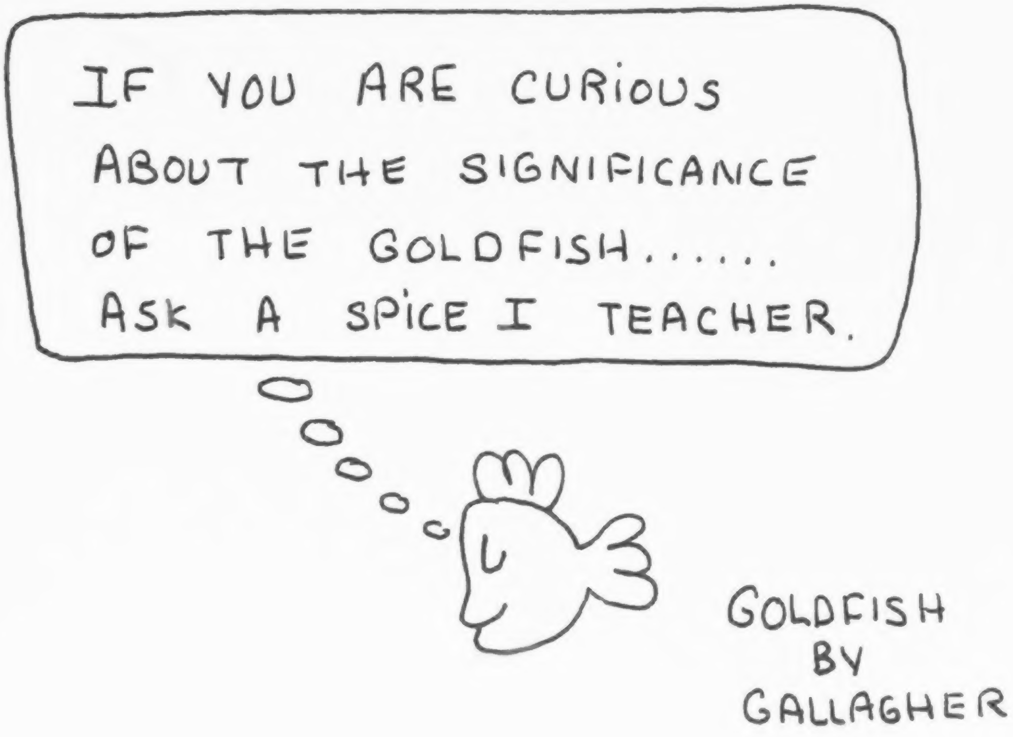
Fifth Grade Level

- LRE kits used — *Authority*
- Children engaged in role playing activities.
- Children wrote stories regarding personal experiences with types of authority.
- Children wrote stories to explain what would happen in various situations.
- Children participated in a sample lesson presented at a P.T.O. meeting.

Sixth Grade Level

- LRE kits used — *Authority* and *Responsibility*




IF YOU ARE CURIOUS ABOUT THE SIGNIFICANCE OF THE GOLDFISH...... ASK A SPICE I TEACHER.
GOLDFISH BY GALLAGHER

"In your pursuing the incredible commitment and challenge of teaching our tomorrows the importance of law, the importance of the examination of law, and I hope at the same time the importance of questioning law, you infuse in those young people the idea that law is made by man and woman."

—Dr. Maya Angelou

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